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MEMORIAL RECORD

OF THE

FATHERS OF WISCONSIN

CONTAINING

SKETCHES OF THE LIVES AND CAREER

OF THE

MEMBERS OF THE CONSTITUTIONAL CONVENTIONS

OF 1846 AND 1847-8.

WITH A

HISTORY OF EARLY SETTLEMENT IN WISCONSIN.

PREPARED BY
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MADISON, WIS.:
PUBLISHED BY DAVID ATWOOD.
1880.

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DAVID ATWOOD, PRINTER AND STEREOTYPER, MADISON, WIS.

PREFACE.

THE labor of preparing this volume has been both difficult and perplexing. The material for its contents had to be procured from sources wide apart, often isolated, and much of the data such only as could be drawn from memory. What to include and what omit, was not unfrequently a matter for doubt. The purpose was not only a historical record, but to preserve annals for future history. This has been accomplished as far as information was accessible; but we feel diffident as to the product, and whether it will prove satisfactory, in all respects, to the veteran pioneers or their descendants, whose personal career it records. The most we hope for is a partial approval.

That the lapse of a generation in Wisconsin has produced wondrous changes needs scarcely to be stated. Towns, cities and villages have sprung from the forests and prairies; old counties have been divided and new ones created; post-offices and post-roads have multiplied in every quarter; all conditions and surroundings, indeed, have undergone complete transformation; so much so, that the past has little left to compare with the present. Responsive to this impulse, many members of the conventions either changed locations or were removed by legal subdivisions, until their places of residence, and even identity, had passed from public memory. Add to this the inroads of death, the decay of memory, age and infirmities, the difficulty of finding any to whom to apply for information, and the sympathetic reader will appreciate the besetment that has environed our labors. Only by continuous advertising and correspondence, continued, with scarce an interval, for a period of over two years, have we been able to gather the material here presented.

The natural modesty of many of the pioneer fathers has also presented another obstacle. Even after discovery, it has not always been easy to obtain the information desired. After all the hazards, hardships and experiences of early settlement, and a career alike distin-

guished, upright and honorable, many shrink from anything like publicity, and had not its importance been pressed on their attention, would have departed, leaving no memento that they had lived. This feature is a peculiarity of old settlers, creditable to them, in a general sense, and yet posterity has a right to a knowledge of the personal career of its benefactors. A record of the lives of its public men, in all important particulars, rightfully belongs to the state.

The plan of this work has also been one of doubt and perplexity. It was evident from the first that no arbitrary rules could be followed. We did not desire to produce a mere reference book, or dictionary of names of members, with sketches gauged to a uniform length or standard; and yet it has not been possible, within reasonable limits, to bring into conspicuous view individual personality. As each name has passed in review, our recollections of personal characteristics and peculiarities have been vivid and impressive. The kindly faces, genial humors and incisive intellectual gifts of all, are with us a living memory, but space did not permit of word-painting. As a result, our work is of composite order. We have preferred to allow the sketches generally to stand as received, imperfect as some of them will be esteemed, and less full than was desirable. No material facts have in any case been omitted. An alphabetical order of arrangement has been adopted from necessity.

It is probably an event with scarce a precedent, that the reporters of two constitutional conventions were, a generation later, entrusted with the work of sketching the lives and career of their old friends and associates. All were then young or in the prime of life. Grey hairs and the death roll are now all that remain to us. Pleasant and sad memories have mingled with our work, which has been an agreeable one, but not unmixed with anxiety as to a satisfactory ending We bespeak pardon in advance for such errors as may manifest themselves. We feel that we have done all we could with the imperfect information at command.

H. A. TENNEY,
DAVID ATWOOD.

MADISON, *July, 1880.*

EARLY HISTORY OF WISCONSIN.

ORIGIN OF THE TERRITORY.

It seems necessary to a right understanding of some of the most important questions agitating the west only a little over a generation ago, to precede the sketches of members of the conventions by a brief preliminary and explanatory chapter. While this can only be partially done, omitting much of interest and value, it will nevertheless, it is hoped, sufficiently illustrate a few leading and now forgotten points of contention; indicate to some extent the thought of the period, the difficulties to be met, and the measures regarded as essential to the protection and security of the future. State constitutions in many respects are the outgrowth of the necessities of the time in which they are framed, and are thus a type of the era which gives them birth, directly reflecting public opinion in their chief features, and hence of great historical significance. Considered as land-marks in the nation's progress, we have no more certain guides than the organic laws of the states. They are reliable photographs of the time that produced them, whatever changes may thereafter be made.

TERRITORY NORTHWEST OF THE OHIO RIVER.

To date from the earliest historical period, the territory now embraced within the limits of Wisconsin was for a long period under the nominal jurisdiction of the governments of France and England, but neither power, if a

few names of places are excepted, left any enduring impression. At and before the close of the war of the American Revolution which freed the country from foreign control, Virginia claimed as within its chartered limits all the region covered by the present states of Ohio, Indiana, Illinois, Michigan, Wisconsin and about half of Minnesota. As the charters of several other colonies covered portions of the same territory, it soon led to bitter controversy; and, to forever settle the difficulty, at about the time of the formation of the Federal Constitution, Virginia, with a noble unselfishness, voluntarily surrendered its claim by ceding all its rights to the general government upon certain conditions, which were accepted. This action was embodied in the celebrated Ordinance of 1787 — an enactment that in its scope and bearing upon the future of the country will be regarded as one of the most important that ever emanated from a legislative body.

Except that this ordinance was in effect a new charter of freedom, the only provision of special importance to Wisconsin was the one relating to future state boundaries. These, as to Ohio, Indiana and Illinois, were specifically defined, and all disputes that followed grew out of changes thereafter made by congress. The words of the proviso in the ordinance were as follows: "That it is further understood and declared that the boundaries of the three states (aforesaid) shall be subject so far to be altered that if congress shall hereafter find it expedient, they shall have authority to form one or two states in that part of said territory which lies *north of an east and west line drawn through the southerly bend or extreme of Lake Michigan.*" This language seems to be simple, plain and direct. Had the condition been followed according to the terms of the act ceding the territory, the effect would have been great and manifest, not only as to our boundaries, but as to the general welfare of the Union at large, as subsequent events have abundantly demonstrated.

BOUNDARY CHANGES.

The territory northwest of the Ohio river embraced the whole country east of the Mississippi extending to the west line of the state of Pennsylvania. It was organized in 1787. At that period the Mississippi river marked the western boundary line of the United States, and it was not until after the purchase of Louisiana was effected that it was removed westward to the shores of the Pacific.

Ohio was organized as a territory in 1787, and continued such until March 3, 1803, when it was admitted into the Union as a state, with substantially its present boundaries.

In 1800, the territory of Indiana was set off from Ohio, with jurisdiction, except as to Michigan created in 1805, over all the balance of the northwest territory, which continued until February 3, 1809, when Illinois territory was set off. Indiana was admitted as a state, December 11, 1816.

Illinois was organized as a territory, February 3, 1809, and admitted as a state, April 18, 1818. October 26, 1818, Wisconsin was attached to Michigan.

Michigan territory was organized January 11, 1805, and, after the Louisiana purchase, its boundaries were largely extended by several acts of congress. It was admitted as a state, January 26, 1837.

Wisconsin remained a part of Ohio territory from 1787 to 1800; of Indiana from 1800 to 1809; of Illinois from 1809 to 1818, and of Michigan from 1818 to 1836. At the time the Territory of Wisconsin was organized it comprised the present states of Iowa and Minnesota, and about half of the present territory of Dakota. It was admitted as a state May 29, 1848.

Iowa was organized as a territorial government, June 12, 1838, and admitted as a state December 8, 1846.

Minnesota was attached to Iowa territory from 1838 to March 3, 1849, when it was separately organized. It was admitted as a state, May 11, 1858.

Dakota was attached to Michigan territory by act of

June 28, 1834; to Wisconsin by act of April 20, 1836; to Iowa by act of June 12, 1838. It was organized as a separate territory March 2, 1861.

BOUNDARY DISPUTES — THE EFFECT ON WISCONSIN.

The original boundaries of Michigan territory coincided with those of the present state except that the western line drawn through the center of Lake Michigan was originally extended direct to Lake Superior. Had this boundary remained permanent, as in reason it should have been, all the great iron and copper region on the north would have necessarily fallen to Wisconsin. Why it did not is deserving of brief explanation.

Michigan as a terrritory always claimed as its southern boundary the line drawn east and west through the south end or extreme of Lake Michigan as established by the ordinance of 1787. It not only claimed this, but actually for a long period — from 1805 to 1834 — exercised control and jurisdiction over it, and the right was not officially disputed. As this line would include the present city of Toledo and the mouth of the Maumee river, Gov. Lucas, of Ohio, in 1835, laid claim to jurisdiction, as far as that state was concerned, over the entire region in dispute. Both sides thereupon called out their militia, the disputed territory was for a season occupied by military force, and such was the excitement that for a time a collision was greatly feared. In the end, however, congress, as a compromise, in admitting Michigan as a state, extended its northern boundary westward so as to include most of the iron and copper region of Lake Superior, and thus stripped Wisconsin of its natural line on the northern frontier, and gave to Ohio the territory in dispute.

When Iowa was set off by act of June 12, 1838, the limits of Wisconsin were contracted so as to embrace only the country east of the Mississippi river. This covered a large portion of Minnesota north of Lake St. Croix. Iowa,

Minnesota and a large part of Dakota were a part of Wisconsin territory from 1836 to 1838, and all of Minnesota east of the Mississippi river from 1838 to 1848. On the consummation of the act of admission as a state, Hon. JOHN CATLIN, Secretary of the Territory of Wisconsin, as territorial governor, *ex officio*, issued a proclamation convening a meeting of settlers north and west of Lake St. Croix, which he personally attended, and thus secured the preliminary steps for organizing the new territory of Minnesota, which, by act of congress, was consummated March 3, 1849.

BOUNDARY DISCUSSIONS.

During the entire period of territorial government, the proper boundaries of Wisconsin were a subject of constant discussion both within and without its legislative halls. Michigan by its decided action had secured a southern border some sixty miles south of Wisconsin, and only yielded the line conferred in the ordinance of 1787 by a compromise which was made at the expense of our territory. The line of the state of Illinois was carried north of that established by the original ordinance ceding the northwest territory to the general government, about one hundred miles. The reasons for this were wholly of a political nature, and evinced such profound foresight and sagacity on the part of the fathers of the republic, as, in the light of subsequent events, to call for unqualified admiration. Yet for many years they were not understood or appreciated, and were by no means satisfactory to the new territory, since they took from it some of the most fertile agricultural lands, and the most important commercial lake port in the west. As a consequence, nearly every territorial session besieged congress by memorials and petitions to restore the boundary defined by the ordinance of 1787. Nor did the effort cease until the state constitution was finally adopted.

Opinions differed much as to the proper line of northwestern boundary. As Wisconsin was the fifth and last state wholly organized within the original limits of the northwest territory, and it was a part of the compact with Virginia that the number should not exceed five, it was held by some that all the country south of the parallel of 49°, and east of the Mississippi, must necessarily constitute a part of its territorial area. But as it was seen that such boundaries would be illy proportioned, and, when the country was settled, contain a population connected by no natural ties of interest or affinity, this proposition found little favor. One plan, and at first well received, was a line drawn from the mouth of the St. Louis river westward to near the mouth of Rum river, on the Mississippi, but as this would cut off Minnesota from ports on Lake Superior, it was soon abandoned. Another plan strongly urged by the delegates in convention from that section, was a line drawn eastward from Mountain Island in the Mississippi to about the line of the fourth principal meridian, and thence north to Lake Superior. This would have set off the whole basin of Lake St. Croix and most of its river valleys into the territory of Minnesota, and was not favorably received. Finally the present boundary proposed by congress was accepted, and a long controversy thus finally closed.

BEGINNING OF CIVIL GOVERNMENT.

Wisconsin was attached to Michigan territory, October 26, 1818. During the same year Gov. LEWIS CASS erected the county of Brown, which with portions of the county of Michilimackinac embraced the entire eastern half of the present state, and appointed the following officers: MATTHEW IRWIN, Chief Justice; CHARLES REAUME and JOHN LAW, Associate Justices of County Court; MATTHEW IRWIN and JOHN BOWYER, County Commissioners; MATTHEW IRWIN, Judge of Probate; ROBERT IRWIN, Jr.,

Clerk; GEORGE JOHNSTON, Sheriff; and CHARLES REAUME, Justice of the Peace.

Crawford county, covering the balance of the territory, was erected at the same time. In 1823, a territorial circuit court was established, embracing the counties of Brown, Crawford and Michilimackinac, and JAMES DUANE DOTY was assigned to it as Judge.

LEGISLATIVE REPRESENTATION.

The legislative council of Michigan territory was composed of thirteen members. No other branch was provided for. In 1824, ROBERT IRVIN, Jr., was elected to this body from Brown county, being its first representative. He served, through re-elections, until 1831. A new district was created in 1832, composed of the counties of Chippewa and Michilmackinac, portions of which were located in what is now Michigan, and Brown, Crawford and Iowa in Wisconsin, and HENRY DODGE and MORGAN L. MARTIN were elected to the Legislative Council. In 1834, JAMES DUANE DOTY and MORGAN L. MARTIN were chosen, and held their seats until state government superceded that of the territory, which it did partially in 1836, although the state was not formally admitted until 1837. The first known formal movement for the creation of the Territory of Wisconsin, was a memorial to congress passed by the legislative council of Michigan in 1834, asking that it be set off and organized separately as a preliminary to framing a constitution of its own, and applying for admission, as its population then reached the necessary number of 60,000 and more.

ORGANIZATION OF TERRITORY OF WISCONSIN.

Wisconsin was created a separate territory by act of congress approved July 4, 1836. Its Executive Department consisted of a Governor, Secretary and Attorney General. Its Judiciary of a Chief Justice, two Associate

Justices and a Clerk of the Court. Its Legislative was a Council composed of thirteen members, elected for four years, and a House the term of whose members was two years. In 1844, the system was so far changed that the Council was chosen for two years, and the House annually.

The officers first appointed were HENRY DODGE, Governor; JOHN S. HORNER, Secretary, and HENRY S. BAIRD, Attorney General; Judges of Supreme Court, CHARLES DUNN, C. J., WILLIAM C. FRAZER (who died before any service rendered), DAVID IRVIN, and ANDREW G. MILLER Associates. Clerk of Court, JOHN CATLIN.

During the existence of territorial government, the governors were HENRY DODGE, JAMES DUANE DOTY and N. P. TALLMADGE — Gov. Dodge serving as the first and last governor. The secretaries were JOHN S. HORNER, WM. B. SLAUGHTER, FRANCIS J. DUNN, A. P. FIELD, G. R. C. FLOYD and JOHN CATLIN. The judges remained unchanged from first to last. The clerks were JOHN CATLIN, SIMEON MILLS and LA FAYETTE KELLOGG. The delegates to congress, were GEORGE W. JONES, JAMES D. DOTY, HENRY DODGE, MORGAN L. MARTIN, and JOHN H. TWEEDY.

The first session of the territorial legislature was held at Belmont, Iowa county (now La Fayette), commencing October 25, 1836. HENRY S. BAIRD, of Brown county, was elected President of the Council, and PETER H. ENGLE, of Dubuque, Speaker of the House. At this session the territorial capitol was located at Madison, but the legislature did not meet there until 1838, after Iowa territory was set off from Wisconsin. At this session WILLIAM BULLEN, of Racine county, was elected President of the Council, and JOHN W. BLACKSTONE, of Iowa, Speaker of the House.

PIONEER SETTLEMENT.

It is difficult if not impossible to convey to the present generation a correct impression as to the actual condition

of the new territory at this period, since, except among pioneer settlers, there is nothing in its experience that furnishes a standard for comparison. The most it can conceive is a vast and fertile region as yet unsurveyed and scarcely penetrated by the white race, without settlements, roads, bridges or population, except in a few widely scattered and detached farms, hamlets and villages, clustered generally about military posts. In 1830, the population west of Lake Michigan by census enumeration aggregated less than 3,000, which in 1840 had only increased to 30,945. When the capitol was located at Madison, what is now Dane county contained but very few permanent white settlers, and many others now teeming with industrious multitudes were then wholly unoccupied. Isolated communities was the rule, to which there was no exception, and lack of means and routes of travel scarcely permitted other than slow and most difficult communication. Gradually, however, mail service was secured, and the swell of incoming immigration brought the early settlements nearer and nearer to each other. The movement at first slow, yearly gained in intensity, until the waste places were nearly all absorbed.

It was fortunate for Wisconsin that state organization did not take place until the financial affairs of the country had settled down upon a safe business basis, and wild and reckless enterprises received no countenance. The bitter experience of the states formed out of the old northwest territory served as a lesson and warning, which was not lost when the essential features of our proposed constitution received a preliminary discussion. At one period, these states can scarcely be said to have had either credit or resources, while their debts, incurred for works which even when completed scarce paid the cost of repairs, were out of all proportion to the assessed valuation of property. As late as 1843, the state of Ohio sold its bonds at fifty cents on the dollar to raise funds to meet obligations, while

the bonds of Michigan, Indiana and Illinois were for several years quoted in market at from twenty to thirty cents, with few or no buyers. Such was the penalty paid for embarking the public credit in wild schemes, without resources to meet even the ordinary expenses of local government.

ROUTES OF EARLY IMMIGRATION.

Except about military posts, and with slight other exceptions, permanent settlement first began in Wisconsin about 1826, in the lead region, or present southwest counties, and for many years, population pressed in by way of the Mississippi river, before the route by the great lakes was fairly opened. For a long period Galena was more of a commercial mart for supplies for the interior of Wisconsin than Milwaukee or other lake ports, while Chicago was scarcely known in that connection. The southern states were at first more numerously represented than the eastern. Lead mining had developed into a great leading industry on one side of the territory, while agriculture was commencing on the other. The two streams of settlers finally met about midway, but several years elapsed before the eastern current largely predominated. As a result, the diversity of interests, ideas and modes of thought between the two sections were much more striking in early times than at present. Time, which has obliterated so many pioneer landmarks, has not even yet effaced the peculiar characteristics of the two sections.

PROJECTED ROUTES OF TRAVEL AND TRANSPORTATION.

Naturally, the first efforts of the pioneer era were directed to securing channels of communication with the interior and outer world. Laws for surveying and marking out roads were among the first enactments of the territorial legislature. Canals were projected from several of the lake ports, among which may be mentioned one from Sheboygan to Fond du Lac; another from Milwaukee to Rock River, and thence by way of the Four Lakes

to the Wisconsin; while the Fox and Wisconsin river route was universally believed destined to become the great central channel of commerce. To the buoyant imagination of the time all rivers of any size were deemed navigable, while their branches were regarded as routes for future canals. So many village and city sites were laid out and platted, whose names even are now wholly lost, that the present realization is almost a blank by comparison. It was a period of vast projects, limitless enterprises, and chimerical speculations which has had no parallel. All this, too, when the population imported most of its provisions, and, except the product of lead furnaces, exported nothing.

Railroad projects received early attention, and charters were actually granted before even highways were laid out in many places from lake ports to the interior. Often the line and terminal points were not even indicated. Among the earliest efforts in this direction was a memorial to congress, passed in 1840, asking for the survey and construction of a railroad from Lake Michigan to the Mississippi river. It was not until ten years later that any of our existing routes were definitely decided upon, companies really organized, and work of construction seriously commenced.

The period from about 1830 to 1837 was one of great and almost limitless financial currency expansion. In that year, in the states east of us, it reached a natural culmination, followed by a crash that speedily carried down most of the banking institution in the United States. The Banks of Green Bay and Mineral Point, the only ones within the territory, ended in the same way, and for some years the early settlers had little or no currency other than the small sums brought in by newly arrived immigrants. In the southwest counties or lead region, citizens of all classes combined and refused to receive or use anything but gold and silver as a measure of exchangeable values. Immigration, which had commenced coming in a flood soon after

territorial organization, was not only checked, but actually recoiled eastward, and it was not until about 1843-4 that the current turned westward again, since which time it has known no abatement.

THE REVOLUTIONS OF A GENERATION.

Pioneer settlers in the northwest, if they cannot be said to have witnessed the exodus of nations, have certainly been spectators of the ingress of multitudes so vast in number as to well deserve that name. Within the limits of a generation in point of time, they have seen almost limitless wastes of forest and prairie, in natural and normal wildness, changed from a desert to the home of teeming populations, possessing every appliance of art, and every advantage of moral and material improvement. Looking upon the mighty movement in gross, it might be said with truth that representatives of all Europe had marched upon western America. But the invasion was peaceful — the march a silent one. The hosts encamped upon the waste places so quietly as scarcely to awaken surprise. Experience of the mighty change grew, indeed, to be habitual. It was not until it ended in particular localities that it began to attract much attention. The frozen north equally with the semi-tropical south have been almost equally overrun — and yet the impulse has as yet scarcely known pause. It is to continue until the world's populations, productions, and perhaps means of livelihood, reach an equilibrium. Like the glacial era in geological records, it is the grand mixing of diverse peoples — the abrading force, grinding prejudice against prejudice, religious system against religious system, nationality against nationality, until from the ultimate product there shall spring, as we believe, a higher development and nobler race to elevate the career of humanity. History furnishes no parallel to this wondrous movement. It will ever stand out single and isolated as the greatest event in human annals.

EARLY IMMIGRANTS.

Pioneer settlement founded and opened the way to the teeming multitudes that have followed. The early comers were almost exclusively of American birth and parentage. At the period of the conventions to frame a state constitution, foreign emigrants composed but a small per cent. of the population. They had gained a foothold, indeed, but were in no part a controlling authority. Pioneer experience, therefore, was unique in its way,—in all its conditions and surroundings, unlike the present. It could occur but once, and will be reproduced to no future generation. It was a Golden Era, the twilight of the morning of the birth of mighty states, and must ever remain one of the most interesting chapters in our history. It is for this reason that its details, hardships, purposes and modes of life, hopes and expectations, interesting even now, will, as the years progress, be esteemed more and more valuable. They err sadly who think such records puerile, or of small value. The future will cherish and perpetuate them as the choicest gifts this generation can confer.

TERRITORIAL NEWSPAPERS.

The first newspaper established in the territory of Wisconsin was at Green Bay, named the *Intelligencer*, in 1833, J. V. SUYDAM editor. In 1834, the establishment passed into the hands of ALBERT G. ELLIS, and was continued with varying fortunes till 1837, when it was suspended, and the office removed to Southport (Kenosha) in 1840, leaving Brown county without a newspaper. In 1839, the number had increased to five, to wit:

The Wisconsin *Democrat*, Green Bay, Charles C. Sholes, editor.
Advertiser, Milwaukee, Daniel H. Richards, editor.
Sentinel, Milwaukee, Harrison Reed, editor.
Wisconsin *Enquirer*, Madison, J. A. Noonan, editor.
Wisconsin *Express*, Madison, W. W. Wyman, editor.

In 1845, the number had increased to eleven, and at the close of territorial government in 1848, thirteen were published. Now, 1880, they number 302.

SCHOOLS AND MEANS OF EDUCATION.

Wisconsin from the first has never been without schools. They were established by missionaries at Green Bay and Prairie du Chien near one hundred years ago, and thereafter speedily followed all new military posts and settlements. The territorial government provided for common schools among its first acts. They were of course isolated and wide apart, but, nevertheless, increased with settlement, and had taken firm foothold before the state was organized. This is equally true of academies and institutions of higher grade, in which various church organizations may be included. Education was ever recognized as of paramount importance in the new commonwealth.

PRELIMINARIES TO FORMATION OF STATE GOVERNMENT.

The question of forming a state government was very early urged upon the attention of citizens of the territory. In his message to the legislature in 1838–9, at the first session held in Madison, Gov. DODGE called attention to a bill introduced into congress for that purpose, and advised that provision be made to obtain a popular vote. The subject was referred to a committee, which reported that, as a preliminary step, it was necessary to have the southern boundary definitely decided and established. In 1839–40, the governor renewed his recommendation, and advised that a resolution be passed to submit the question at the August election, and that a convention be called of delegates from all parts of the territory, to pass upon it. The proposition was not received with favor. In 1840–1, a resolution was adopted authorizing a vote of the whole people. In 1841–2, Hon. LEVI STERLING reported from the committee on Territorial Affairs, to whom the subject had been

referred, that a communication from the secretary of the territory showed that the vote returned as cast at the previous election was only 92 for state government, 499 against it, and recommended no further action. In 1842–3, another vote seems to have been taken, the result of which, as communicated by Col. ALEX. BOTKIN, acting secretary, to the legislature, showed that 619 votes had been cast for, and 1,821 against the change, and that eleven counties had made no report. In 1843–4, the return of votes cast upon the proposition showed 541 for, and 1,276 against it. It was generally denounced at the time as "Doty's pet scheme." In 1844, the question was again introduced, but indefinitely postponed in the council. In 1845, a bill for the purpose was defeated in the house. In January, 1846, a bill passed both houses, submitting the question to the people for their approval or disapproval. It provided for a representation of 124 members, and divided the territory into the necessary election districts. The law was ratified by a majority vote, and in accordance with its terms, delegates were subsequently elected to form a constitution to be submitted to popular approval.

THE FIRST CONVENTION — NATIVITY AND OCCUPATIONS.

This body met at Madison on the 5th of October, 1846, and closed its labors on the 16th of December following. The constitution it had framed was submitted to vote at the ensuing spring election, and after an exciting contest, the effects of which were long manifest in political circles, it was defeated, chiefly owing to differences of opinion upon the article in relation to the rights of married women, the article on exemptions, the bank articles, the number of representatives in the legislature, and the elective judiciary.

This convention was at the time, and has ever since been regarded as one of great, if not extraordinary, intellectual ability. Its members were all in the prime of life, the representatives of the systems of many states, generally highly

educated, and possessed of mental culture far above the average of men. In both their agreements and disagreements, they exhibited an acuteness of logic and learning, and a comprehension of fundamental principles of government rarely if ever witnessed in a deliberative assembly.

In its composition, nativity of members, and personal avocations and pursuits, it probably better illustrates the then per cent. of resident, but recent immigrants, and relative proportion of industrial pursuits, than any other demonstration in our power to make.

Statistics taken from the record give the following results as to nationality, to wit.

WHERE BORN.

New York	42	Kentucky	2
Vermont	18	Virginia	2
Connecticut	8	Rhode Island	1
Pennsylvania	6	New Hampshire	1
Ireland	7	Maryland	1
Germany	3	Maine	1
England	1	Island of Jamaica	1
New Jersey	4	Unrecorded	16

OCCUPATIONS.

Farmers	69	Physicians	3
Lawyers	26	Lumbermen	2
Mechanics	7	Miller	1
Merchants	6	Unrecorded	5
Miners	5		

New York, it will be seen, leads all other states in the number of members, and, with those from Vermont, nearly comprised a majority. As each state has some peculiarities in organic structure, it is not a matter for surprise that diversity existed when it came to framing a new fabric. The occupations, too, are quite significant. The farming element was largely predominant, while the lawyers — out of proportion as to their relative numbers as citizens — furnished the master minds of the assemblage. As might have been anticipated, many novelties and innovations on

past precedent and practice were brought forward, discussed, dissected, and in the end became the basis, to some extent, of formal division. The proportion of foreign to native born will also attract attention for its wide disproportion as compared with the present. The Irish and German nationalities had just begun to emerge into public notice. With two excepticns only of delegates other than these, all were of American birth.

SECOND CONSTITUTIONAL CONVENTION.

On the failure of the first constitution of ratification by a majority vote, the territorial legislature was convened in extra session, and by an act approved October 27, 1847, a second convention was authorized. Representation in this body was reduced to sixty-nine members, and election districts altered to correspond with the change. The delegates chosen convened at Madison on the 15th of December following. Only five of those who had served in the first convention were elected members of this body. The points of difference having been disclosed by the preceding canvass, its duties were in a great measure to make such modifications and changes as would meet general approval. While differing in no degree in point of ability with its predecessor, its members were regarded as more conservative, and less extreme in their views.

The nativity of members of the second convention was as follows:

WHERE BORN.

New York	25	Maine	1
Connecticut	9	Ohio	1
Massachusetts	6	Virginia	1
Vermont	5	Pennsylvania	1
New Hampshire	3	New Jersey	1
Kentucky	3	Maryland	1
Ireland	5	Northwest Territory	1
Germany	1	Unrecorded	1
Norway	1		

The body was composed of sixty-nine members.

OCCUPATIONS.

Farmers	31	Millers	2
Lawyers	19	Lumberman	1
Physicians	5	Geologist	1
Merchants	5	Civil Engineer	1
Editors and printers	3	Unknown	1

In the first convention, the oldest member, WILLIAM BERRY, was aged 65; the youngest, GEORGE B. SMITH, was aged 23. In the second, the oldest was JOSEPH COLLEY, aged 65; the youngest was HARVEY G. TURNER, aged 25. Omissions in the records of the first body prevent an accurate statement of the average age. It was probably about 37 years, and this would hold about correct as to the second.

RECORD OF MEMBERS PREVIOUS TO FIRST CONVENTION

Of the members of the first constitutional convention, the following had previously served one or more terms in the Territorial Council:

Henry S. Baird,	Marshall M. Strong,	Don. A. J. Upham,
Charles M. Baker,	Moses M. Strong,	James R. Vineyard,
Frederick S. Lovell,	John H. Tweedy,	Ninian E. Whitesides.

The following had served one or more terms in the House:

David Agry,	Andrew E. Elmore,	Asa Kinney,
Chas. E. Browne,	Moses S. Gibson,	Jas. Magone,
Thomas P. Burnett,	David Giddings,	John H. Manahan,
Dan'l R. Burt,	Neely Gray,	Moses Meeker,
John Crawford,	John Hackett,	Dan'l M. Parkinson,
Thomas Cruson,	Franklin Z. Hicks,	Horace D. Patch,
William M. Dennis,	Benj. Hunkins,	Noah Phelps.
Pitts Ellis,	Thomas Jenkins,	

Of the members of the Second Convention, the following had previously served in the Territorial Council for one or more terms:

Morgan L. Martin,	Frederick S. Lovell,
John H. Rountree,	Edward V. Whiton.

And in the House:

Byron Kilbourn,	Andrew B. Jackson,
William Richardson,	William A. Wheeler,

Geo. W. Featherstonhaugh.

Several of the members of both bodies had, previous to locating in Wisconsin, served as members in the legislatures of other states.

RECORD AFTER STATE ORGANIZATION.

The following members of the First Constitutional Convention, fifty-two in number, were elected and served either as Senators or Assemblymen after the state was organized, for one or more terms:

David Agry,
Hiram Barber,
J. Allen Barber,
Stephen O. Bennett,
John W. Boyd,
Charles Burchard,
Horace Chase,
Warren Chase,
S. T. Clothier,
Hopewell Cox,
John Crawford,
Wm. M. Dennis,
E. W. Edgerton,
Pitts Ellis,
Andrew E. Elmore,
G. M. Fitzgerald,
Moses S. Gibson,
James Gilmore,
Lemuel Goodell,
E. B. Goodsell,
Wallace W. Graham,
Wm. C. Green,
John Hackett,
Wm. B. Hesk,
F. Z. Hicks,
F. Huebschmann,
Benj. Hunkins,
Geo. Hyer,
Thos. Jenkins,
Stoddard Judd,
C. J. Kern,
Asa Kinney,
Joseph Kinnie, Jr.
F. S. Lovell,
V. M. Willard.
David Noggle,
D. M. Parkinson,
Rufus Parks,
H. D. Patch,
Theodore Prentiss,
A. W. Randall,
Pat. Rogan,
Geo. B. Smith,
Elijah Steele,
Marshall M. Strong,
Moses M. Strong,
Pat. Toland,
Peter H. Turner,
John H. Tweedy,
James R. Vineyard,
Salmous Wakeley,
N. E. Whitesides,

Of the members of the Second Convention, thirty-one out of the sixty-nine composing that body have since served in the State Legislature for one or more terms, either as Senators or Assemblymen, as follows:

A. M. Carter,
Warren Chase,
Paul Crandall,
John L. Doran,
Charles Dunn,
Experience Estabrook.
James Fagan,
D. G. Fenton,
G. M. Fitzgerald,
Jonas Folts,
E. A. Foot,
George Gale,
Peter D. Gifford,
Louis P. Harvey,
S. P. Hollenbeck,
Stoddard Judd,
James T. Lewis,
F. S. Lovell,
Geo. W. Lakin,
Charles H. Larkin,
Abraham Vanderpool.
Hollis Latham,
S. R. McClellan,
Morgan L. Martin,
Theodore Prentiss,
J. D. Reymert,
William Richardson,
Eleazer Root,
John H. Rountree,
H. T. Sanders,
H. G. Turner,

SERVED IN HIGHER OFFICES OF STATE AND NATION.

The following named members of the conventions have filled the positions respectively mentioned, either state or national, for one or more terms, as follows:

In the Cabinet. — Alexander W. Randall, First Assistant, and Postmaster General.

Ministers to Rome. — Alexander W. Randall and Rufus King.

Delegates to Congress. — James Duane Doty, Morgan L. Martin and John H. Tweedy.

Congressmen. — Orsamus Cole, James Duane Doty, Charles H. Larabee and J. Allen Barber.

Governor of Territories. — James Duane Doty, both of Wisconsin and of Utah.

Governors of the State. — Alexander W. Randall, Louis P. Harvey and James T. Lewis.

Governor of Florida. — Harrison Reed, for six years.

Lieutenant Governors. — Samuel W. Beall, James T. Lewis.

Lieutenant Governor of Minnesota. — William Holcombe, at first organization of the state.

Secretaries of State. — Louis P. Harvey and James T. Lewis.

State Treasurer. — Edward H. Janssen.

Attorneys General. — Henry S. Baird, A. Hyatt Smith, George B. Smith, Experience Estabrook and William R. Smith.

Bank Comptroller. — William M. Dennis.

Superintendent of Public Instruction. — Eleazer Root.

Chief Justices of Territories. — Charles Dunn and David Noggle.

Chief Justices of the State. — Edward V. Whiton and Edward G. Ryan.

Associate Justice. — Orsamus Cole, for a period of twenty-five years, and has just entered upon a new term of ten years.

Judges of Circuit Courts. — Edward V. Whiton, Charles H. Larrabee, George Gale, David Noggle and Alex. W. Randall.

In Military Service. — *Major General.* — Rufus King.

Colonels and Lieutenant Colonels. — Charles H. Larrabee, John L. Doran, Horace T. Sanders, Samuel W. Beall and Frederick S. Lovell.

Majors. — Morgan L. Martin and Moses S. Gibson.

Several served in less important positions. Among them we note Capt. HORACE D. PATCH, who died in the service. Whether in cabinet, executive office, court, council or the field, the representatives of the constitutional conventions

were noted for learning, probity and unswerving patriotism. A state that before its eighteenth year had sent 96,000 of its sons to swell the armies of the Federal Union, has made a record that may well make posterity proud of its authors.

CONSTITUTION SUBMITTED IN 1846 AND REJECTED.

The constitution submitted for approval in 1846 was not included in the journal of the convention, nor published, except in pamphlet form, and is now out of print, and rarely to be found even in public libraries. For this reason we have deemed its republication an essential part of this pioneer record. It was the primary organic law, modified into our present constitution, which, with but few comparatively unimportant amendments, has stood all tests of a generation since its adoption.

THE ILLUSTRIOUS DEAD.

It is not without a feeling of pride, mingled with sadness, that we allude to a few of the more illustrious dead of the members of the constitutional conventions. Probably the annals of no other of the younger American states present an array of names among its founders called to fill so many important positions, or whose public careers shed a brighter lustre on the pages of history.

James Duane Doty and Chief Justice Charles Dunn, and their associates, may properly be regarded as the founders of civil jurisprudence in Wisconsin, the authors of a system which, under the cultured and careful administration of Chief Justice Edward V. Whiton, after state organization, make up the sum of the civic code of the present, enlarged and enriched by the profound learning of our present Chief Justice, Edward G. Ryan, and his long tried Associate, Orsamus Cole. It is the concurrent testimony of the legal profession that in erudition, thorough research, and far-seeing sagacity, the precedents established by their decisions constitute land-marks for the guidance of the future, which will endure even longer than the fabric of state government.

Among the lawyers specially gifted, the names of MARSHAL M. STRONG, DAVID AGRY, HENRY S. BAIRD, DON A. J. UPHAM, FREDERICK S. LOVELL, CHARLES M. BAKER, ALEXANDER W. RANDALL, GEORGE GALE, HORACE T. SANDERS, and SAMUEL W. BEALL, were of special prominence. In professional ability they justly took high rank.

As a member of the national cabinet, ALEXANDER W. RANDALL stands alone; but as a lawyer, judge, governor and foreign minister, his merits and abilities were equally conspicuous, and placed his name in the front rank both as a jurist and statesman. Gov. LOUIS P. HARVEY, after a career distinguished for merit, fell early as a martyr to patriotism and humanity, while making efforts to mitigate the horrors of the battle field. Lieut. Governor SAMUEL W. BEALL, after years of military service in defense of the Union, met death by violence. WILLIAM HOLCOMBE, after ably representing that part of Minnesota at the time of the conventions included in Wisconsin, died after filling the position of first Lieutenant Governor of that state. EDWARD H. JANSSEN was for four years treasurer of state. HENRY S. BAIRD, GEORGE B. SMITH and WILLIAM R. SMITH respectively filled the position of Attorney General. DAVID NOGGLE held the position of Chief Justice of Idaho territory until a short time before his death.

In positions less prominent but scarcely less important, we may notice among physicians the name of Doctors ALFRED L. CASTLEMAN, STODDARD JUDD, and MOSES MEEKER, each noted for professional skill. Of editors, the names of JOHN Y. SMITH, RUFUS KING and GEORGE HYER, were conspicuous for learning and ability. In GEORGE W. BROWNELL, who, after a long career of travel and investigation, finally perished by the hand of savages, science lost one of its most earnest and devoted pioneer votaries.

Of all, it may be said, they faithfully and conscientiously discharged their part, and their names are worthy of record on the world's roll of honor.

THE RE-UNION.

ANNIVERSARY MEETING OF THE FATHERS OF THE STATE.

Pursuant to a call made upon the suggestion of several surviving members of the constitutional conventions of 1846 and of 1847–8, a meeting was held in the senate chamber in Madison, February 1, 1878, it being the thirtieth anniversary of the signing of the organic law which when ratified by a popular vote, became the organic law of Wisconsin.

On motion of Judge ORSAMUS COLE, Hon. MORGAN L. MARTIN, president of the second convention, was chosen to preside over the meeeting.

On assuming the chair, MORGAN L. MARTIN addressed the assemblage as follows:

GENTLEMEN OF THE CONVENTION:

You have been called together at the suggestion of some of our former colleagues, and I take pleasure in expressing the greetings due to the occasion.

In the full vigor of life, and with all its important objects, and perhaps expectant honors before them, the delegates selected by the partiality of their neighbors to frame a government for our state, came together to perform the duty.

That their labors were crowned with success, was proved by the adoption of the constitution by a popular vote; that they have continued to receive approval, is shown by the fact that its most important provisions remain unchanged, after a trial of thirty years.

A population of perhaps one hundred and fifty thousand, which ratified the constitution, has swelled to ten times that number, and yet the charter which was given us by DUNN, WHITON, HARVEY, KING, JUDD and their associates, still adorns the statute book of our state. While all honor is given to the men of the convention of 1847, the names of DOTY, MARSHALL M. STRONG, BURNETT, and their colleagues of 1846, should not be forgotten. They are all illustrious upon the pages of our early history and now, that the excitements and asperitiess of the time have passed away, we should do equal honor to all of the foremost men of the period in which they lived.

Success is not always the true criterion of the correctness of human action. Mistakes are sometimes fortunate in their results. Our people had become highly excited by many questions then undergoing public

discussion. The first convention largely imbibed the peculiar tenets of men of extreme views, and though a popular vote did not ratify their action, it was the ground-work upon which all our subsequent legislation was based. The constitution, as finally ratified, was the work of conservatism. The current of public opinion, by the discussions of the previous year, had become so clearly defined, that we of the second convention had but to follow its course.

Gentlemen of both conventions, let us then unite in ascribing appropriate honors to all who participated in the formation of that excellent charter, under which we have become a great and prosperous state. The changes which time has wrought make our gatherings occasions of heartfelt gratulation, mingled with sadness. Our numbers are fearfully diminished, but while any of us yet survive, let us cling together as a band of brethren, who were all co-workers in a common cause, the creation of a fabric which may yet endure to guarantee to untold millions who survive us, "life, liberty and the pursuit of happiness."

On motion of ex-Gov. J. T. Lewis,—who stated that Mr. Kellogg, the secretary of the first convention, was unable to be present,—Horace A. Tenney and David Atwood were chosen secretaries.

The roll of the convention was then called by counties, when the following named persons were found to be present:

FIRST CONVENTION.

Moses M. Strong,	Abel Dunning,	Theodore Prentiss,
Geo. B. Smith,	Nathaniel F. Hyer,	David L. Mills,
	Chas. E. Browne.	

SECOND CONVENTION.

Orsamus Cole,	Jas. T. Lewis,	Theodore Prentiss,
Wm. H. Fox,	Morgan L. Martin,	Milo Jones,
Andrew B. Jackson,	Samuel R. McClellan,	A. M. Carter,
Chas. H. Larkin,	John H. Rountree,	E. A. Foot;
	Wm. A. Wheeler.	

THE CONVENTION ROLL CALL.

The rolls of the two conventions were then called in full to account for those absent as fully as the memory of those present, as to the fortunes and fate of their old associates, would permit. As successive names were reached of the eminent men who have passed over on the other side, able

and eloquent tributes to their memory were paid by Hons. Moses M. Strong, Orsamus Cole, Geo. B. Smith, S. R. McClellan, J. H. Rountree, A. B. Jackson, C. H. Larkin, A. M. Carter, E. A. Foot, D. L. Mills, C. E. Browne, James T. Lewis, and others. With the information thus obtained, and with what the compilers have been able to obtain since that time, up to the day of putting this book to press, they have been able to account for nearly the whole number. Changes in post-office address, in the creation of counties, towns, cities and villages, and removals from the state, have rendered the labor of obtaining this information quite difficult. Below, the perfected roll is given, as nearly complete and perfect as it has been possible to make it. With those marked thus, * there is a slight doubt, as nothing definite has been heard from them.

CONVENTION OF 1846.

Living Members — 52.

Barber, Hiram	Gibson, Moses S.	Mills, David L.
Barber, J. Allen	Giddings, David	O'Connor, Bostwick
Bowen, Davis	Goodell, Lemuel	Phelps, Noah
Boyd, John W.	Goodsell, Elihu B.	Prentiss, Theodore
Browne, Charles E.	Graham, Wallace W.	Rankin, Aaron
Brown, Hiram	Granger, Benjamin	Reed, George
Burt, Daniel R.	Green, William C.	Rogan, Patrick
Carter, James B.	Hackett, John	Ryan, Edward G.
Chase, Horace	Hammond, Sanford P.	Smith, A. Hyatt
Chase, Warren	Hazen, Lorenzo	Smith, Sewell
Cooper, John	Hicks, Franklin Z.	Steele, Elijah
Crawford, John	Hunkins, Benjamin	Stockwell, T. S.
Cruson, Thomas	Hyer, Nathaniel F.	Strong, Moses M.
Dennis, Wm. M.	James, Thomas	Topping, Josiah
Dickinson, Nathaniel	Kellogg, Chauncey	Turner, Peter H.
Dunning, Abel	Kinney, Asa	Tweedy, John H.
Edgerton, Elisha W.	Manahan, John H.	White, Joshua L.
	Elmore, Andrew E.	

Death Roll — 72.

Agry, David	Babcock, John M.	Beall, Samuel W.
Atwood, Elihu L.	Baird, Henry S.	Bell, William
Babcock Barnes	Baker, Charles M.	Bennett, Stephen O.

Berry, William
Bevans, Lorenzo
Bowker, Joseph
Brace, P. A. R.
Burchard, Charles
Burnett, Thomas P.
Burnsides, Andrew
Clark, Wm. H.
Clothier, S. T.
Chamberlain, James
Coumbe, Edward
Coxe, Hopewell
Doty, James Duane
Drake, Jeremiah
Ellis, Pitts
Fitzgerald, Garritt M.
French, Haynes
Fuller, Benjamin
Gilmore, James
Goodrich, Henry C.*
Gray, Neely
Hall, George B.
Hall, James H.
Harkins, Daniel
Hawes, M. T.
Hayes, James P.*
Hesk, Wm. R.
Huebschmann, F.
Hill, La Fayette
Holcombe, William
Hyer, George
Inman, Israel, Jr.
Janssen, Edward H.
Jenkins, Thomas
Judd, Stoddard
Kern, Charles, J.
Kinnie, Joseph, Jr.
Lovell, Frederick S.
Madden, W. J.
Magone, James
Meeker, Moses
Moore, James M.
Noggle, David
Patch, Horace D.
Parkinson, Daniel M.
Parks, Rufus
Parsons, C. H.*
Pierce, Joseph S.
Randall, Alex. W.
Seaver, Lyman H.
Smith, George B.
Smith, John Y.
Smith, William R.
Soper, Evander M.
Strong, Marshal M.
Toland, Patrick
Upham, D. A. J.
Vineyard, James R.
Vliet, Garrett
Wakeley, Salmous
Whitesides, N. E.
Willard, Victor M.
Wilson, Joel F.

OFFICERS.

President — D. A. J. Upham, deceased.
Secretary — La Fayette Kellogg, deceased.
Sergeant-at-Arms — John W. Starkweather, living.
Chaplains — Rev. Stephen McHugh, deceased, and S. E. Miner, living.

REPORTERS.

Argus — H. A. Tenney and J. G. Knapp, living.
Democrat — Beriah Brown, living.
Express — Jerome R. Brigham, living.
Milwaukee Sentinel — Charles Holt, living.

CONVENTION OF 1847–8.

Living Members — 31.

Carter, Almerin M.
Cole, Albert G.
Cole, Orsamus
Crandall, Paul
Chase, Warren
Davenport, Stephen A.
Doran, John L.
Estabrook, Experience
Featherstonhaugh, George W.
Foot, Ezra A.
Fowler, Albert
Fox, William H.
Jones, Milo
Larrabee, Charles H.
Lakin, George W.
Larkin, Charles H.
Latham, Hollis
Lewis, James T.
Martin, Morgan L.
McClellan, S. R.
McDowell, William
Prentiss, Theodore
Reed, Harrison
Reymert, James D.
Richardson, William
Root, Eleazer
Rountree, John H.
Secor, Theodore
Turner, Harvey G.
Warden, Allen
Wheeler, William A.

Death Roll — 38.

Beall, Samuel W.
Bishop, Charles*
Biggs, James
Brownell, Geo. W.
Case, Squire S.
Castleman, Alfred L.
Colley, Joseph
Cotton, Emulous P.
Dunn, Charles
Fagan, James
Fenton, Daniel G.
Fitzgerald, Garrett M.
Folts, Jonas
Gale, George
Gifford, Peter D.
Harrington, James
Harvey, Louis P.
Hollenbeck, S. P.
Jackson, Andrew B.
Judd, Stoddard
Kinnie, Augustus C.
Kennedy, Wm. H.
Kilbourn, Byron
King, Rufus
Lovell, Frederick S.
Lyman, Samuel W.
Mulford, Ezra
Nichols, Charles M.
O'Connor, John
Pentony, Patrick
Ramsay, Alex. D.
Sanders, Horace T.
Scagel, George
Schœffler, Moritz
Steadman, Silas
Vanderpool, Abram
Ward, Joseph
Whiton, Edward V.

OFFICERS.

President — Morgan L. Martin, living.

Secretary — Thos. McHugh, deceased.

Sergeant-at-Arms — E. R. Hugunin, unknown.

Chaplains — Revs. Charles Lord, deceased, and H. W. Read and John Penman, living.

REPORTERS.

Argus — H. A. Tenney and H. W. Tenney, living; John. Y. Smith and David Lambert, deceased.

Democrat — Beriah Brown, living.

Express — David Atwood, living.

The following resolutions were unanimously adopted:

Resolved, That the secretaries of this convention be requested to prepare biographical sketches of all the members, secretaries and reporters of the Constitutional Conventions of 1846 and 1847, and cause the same to be printed; and for that purpose to call upon such persons as they shall deem expedient, to furnish such sketches, and that the same, when prepared, be deposited in the archives of the State Historical Society; and that the legislature be requested to provide for the proper publication thereof, in book form, as a part of the permanent records of the state.

By Mr. CARTER:

Resolved, That when this convention adjourn, it be until the first Wednesday in February, 1879, and the absent members living, of both conventions, the members of the first legislature elected under the state constitution, and the first state officers, be requested to meet with us at that time.

Major H. A. TENNEY, being called upon, delivered an interesting address as to his recollections of the old conventions, from a reportorial standpoint, he having served as a reporter in both conventions.

The convention then adjourned to Wednesday, February 5, 1879, to receive the report of the secretaries, and to transact such other business as might be esteemed proper.

On Wednesday, February 5, 1879, a small number of the veterans of the two Constitutional Conventions met at the Capitol in Madison.

The secretaries submitted a report of their labors, in obedience to a resolution of the meeting of the previous year, and presented brief sketches of the lives and career of the members of both Constitutional Conventions. After an examination of these sketches, they were approved; and a memorial was adopted, asking the legislature to make provision for procuring and distributing a number of volumes containing the same. The secretaries were instructed to present the memorial to the legislature, and to secure, if possible, the passage of a law, in accordance with its provisions.

Acting under the instruction above indicated, the secretaries presented the subject to the legislature of 1880, and, after due consideration, in response to the request, the following law was passed with great unanimity:

CHAPTER 275 — LAWS OF 1880.

Section 1. The secretary of state is hereby authorized and directed to subscribe, in the name of the state, for the purchase of one thousand copies of a volume containing the sketches of the lives of and personal career of each member of the Constitutional Conventions of 1846 and 1847–8, with suitable introductory matter, prepared by HORACE A. TENNEY and DAVID ATWOOD, as directed by a meeting of the surviving members of said conventions, held at Madison, February 5, 1878; the volume to be printed upon good book paper, from clear type, and to be bound in substantial cloth binding; to contain not less than four hundred pages of printed matter, the price not to exceed one dollar and twenty-five cents per volume.

Sec. 2. The books provided for in the preceding section shall be printed, bound and delivered to the secretary of state, within six months after the official subscription for the same is made. The said secretary of state shall cause said volumes to be distributed as follows: One copy to each of the state officers, and to each member of the legislature of 1880; one copy to each surviving member of the Constitutional Conventions of 1846 and 1847–8; and one copy to a legal representative of every deceased member of either of those bodies; the balance to be deposited in the library of the State Historical Society, to be used for the purposes of exchange.

Sec. 3. On the delivery to and the acceptance by the secretary of state, of the books provided for in the first section of this act, the said secretary of state shall audit the account for the same, and draw his warrant upon the state treasurer for its payment; and there is hereby appropriated out of any money in the state treasury not otherwise appropriated, an amount sufficient to pay the warrant thus drawn. Approved March 15, 1880.

BIOGRAPHICAL SKETCHES.

CONVENTION OF 1846.

BIOGRAPHICAL SKETCHES.

CONVENTION OF 1846.

HON. DAVID AGRY.

THOMAS AGRY, of Barnestable, Mass., was the earliest ancestor of whom we have a record. He was a ship-wright by trade, and built many sea-going vessels, at Agry's Point near Pittston, Me., at which place he settled before 1770. His youngest son JOHN was the father of the subject of this sketch, born in Barnestable, April 7, 1763, married ELIZABETH REED, of Boothburg, Me., August 13, 1793, removed from Pittston to Hollowell, in 1801, and died in 1848. DAVID was born in Pittston, August 2, 1794; enjoyed a collegiate education, graduating at Dartmouth College, Hanover, N. H., in 1815; was a lawyer by profession; practiced several years in Bangor, Me. When about thirty years of age, removed to Louisiana. After a sojourn of some time in New Orleans, he finally opened an office at Shreveport, where he resided for a number of years. He subsequently returned to the north, and was located for awhile in New York city. He there made the acquaintance of Mr. JOS. ROLETTE, of Prairie du Chien, and a relative of Mrs. BAIRD, of Green Bay, by whose representations he was led to think of that place as a residence, and finally landed there from a Buffalo steamer in the month of September, 1840. For the first season he domiciled with Mr. MARTIN, but in the following year opened an independent office, in company with J. S. FISK, Esq. In 1842, he was elected a member of the Territorial House of Representatives, and re-elected the succeeding year. In 1850, he was elected County Judge of Brown

county, which position he held until the time of his death, January 30, 1877. He was elected a member of the Constitutional Convention in 1846, from the county of Brown, and served in that body as chairman of the committee on the powers, duties and restrictions of the legislature, and was also a member of the committee on the executive of the state. His services throughout the session were in the highest degree important, dignified and conscientious, and he ranked as a peer among the most distinguished men of that body. His abilities were of the highest order, finely cultivated, profound, and all his acts marked with the force of personal conviction and innate honesty. He was a lawyer of superior erudition, and an assiduous reader of general literature, and, before age and extreme deafness had obscured his powers, there was no man in the community where he lived, who could yield a richer fund of intellectual entertainment for a social circle. It was said of a famous Englishman, that "though not a man to be loved, he was eminently a man to be trusted." Judge AGRY was eminently a man to be trusted *and* loved. Though never married, he seemed peculiarly domestic in his tastes and feelings, and always entered with hearty zest into the joys and cherished a tender sympathy with all the sorrows of the family circles where he was an honored and pleasing guest.

HON. ELIHU L. ATWOOD.

ELIHU LESTER ATWOOD was born in Alfred, Berkshire county, Massachusetts — the eldest son of JOHN ATWOOD and NANCY LESTER, his wife, both of English descent. His education was common school, and general occupation mercantile. Married to SARAH F. PENNIMAN, September 14, 1835. Settled in what is now the town of Lake Mills, Jefferson county, in May, 1837, where he resided up to the time of his death, October 24, 1874, in the 69th year of his age. Was elected a member of the first Constitutional

Convention from the county of Jefferson, at the age of 51 years, in which body he served as a member of the standing committee on amendments to the constitution. While his services in this body were in no way distinguished beyond the mass of his associates, the record he made in its deliberations is one of practical sense and conscientious convictions. In private life he filled all the various offices of the town from year to year, almost by general consent — a distinction that few of the early pioneers escaped. Of his whole career, it may be said in brief, that it was both useful and honorable in the highest degree.

HON. BARNES BABCOCK.

The place of nativity of BARNES BABCOCK, by some oversight, was not made a matter of record, nor his age. He was by profession a farmer. Was elected to the Constitutional Convention of 1846 from Muskego, Waukesha county, and served on the committee on miscellaneous provisions. Except this, he took no prominent part. He was a gentleman possessing sterling qualities, and strong native sense, and was highly esteemed by his associates. No record of his after career has been accessible. He died many years ago.

HON. JOHN M. BABCOCK.

JOHN M. BABCOCK was a native of Vermont, early settled in Dane county as a pioneer farmer, and was 47 years of age when elected a member of the first Constitutional Convention, as one of the representatives from the county of Dane. He served on the committee on the act of congress for the admission of the state; but otherwise took no conspicuous part in the proceedings. He was noted for sterling sense, fair abilities, and inflexible integrity of character, and enjoyed the respect of all who knew him. He died in 1848.

HON. HENRY S. BAIRD.

HENRY S. BAIRD was born in Dublin, Ireland, May 16, 1800. His father emigrated to America, and settled with his family in Pennsylvania, in 1804. After experiencing the inconveniences and privations of the period, Mr. Baird, by dint of extraordinary diligence and persistence, acquired a good common school education. At the age of eighteen, he commenced the study of law, which he continued for several years, a portion of the time in the office of the late Gov. Wood, of Cleveland, Ohio. He was admitted to the bar in 1823, and in July, 1824, attended the first term of court at Green Bay, and subsequently, the first term held in the county of Crawford. The same year he visited Mackinaw, where he had previously resided for a season, and was there married to ELIZABETH L. FISHER — the family returning to Green Bay in September, where it ever after resided.

The marked abilities of Mr. BAIRD speedily secured him a leading position at the bar, and he became widely known, not less for professional skill than unswerving honesty and integrity. In 1836, he was elected a member of the Territorial Council, and was chosen its president. This was its first session, held at Belmont, in what was then Iowa county. He was subsequently, the same year, appointed attorney general by Gov. DODGE. In 1846, he was elected a member of the Constitutional Convention, from the county of Brown. He served in that body as chairman of the committee on the organization and officers of counties and towns, and their powers and duties, and was also a member of the committee on the constitution and organization of the legislature. His services, indeed, throughout, were of a highly important character, and marked him as one of the most conspicuous among the very able members composing the body.

After the organization of the state, he was for a long

period kept in numerous public positions of local usefulness, but declined all solicitations to embark in political life, preferring the practice of his profession. His career throughout was marked by every quality of true manhood, uprightness of purpose, and a faithful discharge of every duty, public and private. He died full of years and honors, April 28, 1875, lamented by all who had known him.

HON. CHARLES M. BAKER.

The ancestral record of Mr. BAKER dates from an early period in American annals. His grandfather, DAVID BAKER, was born in New Jersey in 1751, and died and was buried at Morristown in the same state. JAMES BAKER, his father, was born, March 18, 1777, in New Jersey, and died at Geneva, Wisconsin, October 10, 1851. His wife, whose maiden name was ELIZABETH PRICE, was born March 20, 1780, and died October 24, 1870. CHARLES M. was born in Warren, N. Y., October 18, 1804.

Mr. BAKER, after enjoying a common school education, entered Middlebury College, Vt., in 1822, was a lawyer by profession, and settled at Geneva Lake, Walworth county, Wisconsin, in 1838. He was married, September 6, 1830, to MARTHA LARRABEE, of Shoreham, Vt., and after her death, married ELIZA HOLT, in 1844.

He was elected to the Territorial Council in 1842, and re-elected in 1844, serving four years. In 1846, he was elected a member of the Constitutional Convention, from the county of Walworth, and served in that body as chairman of the committee on the organization and functions of the judiciary. He took a prominent part in all proceedings.

After the organization of the state, he was, in 1849, appointed head of the commission for the revision of the statutes, and in 1856 was appointed circuit judge by the governor. Later, during the war of the rebellion, he held the position of commissioner of the first military district, under appointment of the provost marshal.

Mr. BAKER was a profound lawyer, an able advocate, and in all senses an ornament to a profession which his learning adorned. He was a tireless reader and worker, ever ready in legal cases entrusted to him, all points in which received the minutest examination and most critical analysis. His habits were singularly quiet, unobtrusive, and studious. His reading extended far beyond the requirements of his profession, covering the whole range of historic and scientific inquiry. He was largely gifted in mental powers, and, on a different field, would have achieved for statesmanship all that he did for law. He was, moreover, thoroughly honest and conscientious, an upright and worthy citizen, a kind and loved neighbor, and a valued friend. In all the relations of life he bore an honorable part — above suspicion as above reproach. His death was a loss to humanity at large. He died at Geneva, February 5, 1872, aged 68 years.

HON. HIRAM BARBER.

HIRAM BARBER was born at Hebron, Washington county, New York, January 25, 1800, and is the son of DAVID and HANNAH (BAKER) BARBER. His father was a revolutionary soldier. There was no convenient school, and HIRAM pursued his studies at home, receiving all his education in this way, excepting one year at Fort Ann. At the age of nineteen, he was qualified to teach school, and devoted four winters to this employment. He then engaged in mercantile pursuits at Queenstown, where he remained for twelve years; devoting himself, meanwhile, partially to the lumber trade, to which he gave his entire attention for the next eight years. In 1829, he was appointed, by Gov. VAN BUREN, county judge of Warren county, a position he held until 1844. In October, 1843, he visited Milwaukee, Wisconsin, and traveled over several of the western states for the purpose of examining lands, he having resolved to follow the real estate business. During

this trip he located a farm near Juneau, Dodge county, and subsequently settled upon it, where he made it his home for eighteen years. In 1846, he was elected to the Constitutional Convention, from the county of Dodge, and served on the important committee on the organization and functions of the judiciary. He was an influential and useful member of this body. In 1848, Mr. BARBER was a prominent candidate for the nomination of governor, in the first democratic state convention ever held in Wisconsin. He was appointed by Gov. DEWEY, a member of the first Board of Regents of the State University, a position he held for six years, and performed valuable services in organizing that institution of learning. In 1849, he represented his district in the assembly, and ranked among the leading members in that body. In 1863, he removed to Horicon, and became engaged quite entensively in the manufacture of agricultural implements, which he followed for several years. In 1874, he was the republican candidate for congress, in his district. He was a democrat, having voted for JACKSON, until 1856, when he united with the republican party, and voted for FREMONT. Judge BARBER was, for three years, a member of the board of directors of the Milwaukee and La Crosse Railroad Company.

Mr. BARBER was married, April 8, 1824, to Miss SALOME SEELYE, by whom he had three sons and three daughters. In all the positions he has held, he has exhibited marked ability and fidelity to the trusts reposed in him. His character is made up of many social, business and moral qualities, that give him place among the leading men of the state.

HON. JOEL ALLEN BARBER.

JOEL ALLEN BARBER, was the son of JOEL and ASENETH (MELVIN) BARBER, and was born in Georgia, Franklin county, Vermont, January 17, 1809. His father was from England, and his mother was of Welsh descent.

Her father was a captain in the revolutionary army, and served till the close of the war. J. ALLEN BARBER worked on a farm till he was eighteen years of age, when he entered the Georgia Academy, and fitted for college, and entered the University of Vermont in 1829, where he remained two and a half years. He then began the study of the law with Hon. GEO. P. MARSH, of Burlington. He taught school two years in Maryland, and was admitted to the bar in 1834, in Prince George's county, in that state. He returned to Vermont, and commenced the practice of his profession at Fairfield, where he remained till 1837, and in September of that year, he located at Lancaster, Wisconsin, which village has ever since been his place of residence, and where he has constantly practiced his profession for nearly forty-two years, at times mingling land operations with his practice. He is deemed a sound and able lawyer, holding a high place as a criminal lawyer, and is an honor to the profession.

A large portion of the time, since he has been a resident of Wisconsin, Mr. BARBER has held some official position. He has been many years a member of the county board of supervisors, and was five years its chairman; was four years county clerk, and district attorney three terms. In 1846, he was a representative from Grant county, in the Constitutional Convention, and served on the committee on the organization and functions of the judiciary. He was an able, industrious member, and performed valuable services in the convention. He was a member of the assembly, in the years 1852, 1853, 1863, and 1864. In the assembly of 1863, he was speaker of that body. He was a member of the state senate, in the years 1856 and 1857. He was ever an able, watchful and faithful member of the legislature. He was two terms a member of congress, commencing on the 4th of March, 1871. In the house, he served on the committees on war claims and on the revision of the statutes. He was an industrious and influ-

ential member of congress; not a frequent speaker, but pointed and clear when he did address the house.

Mr. BARBER was a whig, until the organization of the republican party, when he united with it, and has been a member of that party ever since.

In 1842, he was married to Miss HELEN VAN VLECK, of Jamestown, in Grant county. Mrs. BARBER died in about one year after marriage; and in 1847, he was again married to Miss ELIZABETH BANFILL, of Lancaster. They have four children living, two sons and two daughters.

HON. SAMUEL WOTTON BEALL.

SAMUEL WOTTON BEALL was born in Montgomery, Prince George county, Maryland, in 1807. The family was connected by marriage with many of the principal families of Virginia. He was educated at Union College; studied law at Litchfield. In 1827, he was married to Miss ELIZABETH FENNIMORE COOPER, of Cooperstown, New York; and in the same year was appointed receiver for the sale of public lands in the northwest, the district covering both Michigan and Wisconsin, and the office was located at Green Bay. When he left the office, he went east, and, after a few years' absence, returned to Green Bay, in 1840. He then located first, at Tychora, Marquette county, and soon afterwards removed to Taycheedah, in Fond du Lac county. He was for some time Indian agent among the Stockbridges and others.

Mr. BEALL was elected to the Constitutional Convention in 1846, from the county of Marquette. He served in that body as chairman of the committee on the schedule for the organization of state government, and was in many respects quite prominent in the part he took in the general proceedings. On the failure of the constitution to receive a majority vote on its submission to the people, he was elected a member of the convention of 1847–8, from Taycheedah, Fond du Lac county. In this body, he was a

member of the committee on general provisions, embracing a great number of the most important articles embodied in the new constitution, and took a considerable part in the debates. In 1850, he was elected lieutenant governor of the state, serving for two years. In 1859, with others, he located in the city of Denver, Colorado territory, and resided there for some time. He returned to Wisconsin in 1861, and in 1862, he was appointed lieutenant colonel of the 18th Wisconsin regiment, and participated in all its dangers, privations and battles, from Shiloh to the siege of Vicksburg, soon after which he was transferred to the Invalid Corps. He was severely wounded at the battle ofShiloh. Shortly after the close of the war, he located at Helena, Montana territory, where he was soon after shot and killed in an altercation with GEORGE M. PINNEY.

Mr. BEALL was noted for a warm and generous heart, impulsive feelings, and intense and vigorous activity in whatever he undertook. He possessed large, and, in some respects, unusual abilities, was a fluent speaker, dignified in public position, and courteous and affable to all. He had great ambition to achieve honorable distinction, and filled the several positions to which he was called, worthily and creditably. His premature death was widely lamented by those who best knew him.

HON. WILLIAM BELL.

WILLIAM BELL was a native of the state of New York, born in 1806, and by occupation a farmer. He was elected from Walworth, Walworth county, to the Constitutional Convention of 1846, and served in that body on the committee on the powers, duties and restrictions of the legislature. He was a gentleman of fine culture, sound practical sense, and well discharged the part allotted to him. No record of his after career has been within reach. It is understood that he died several years ago.

HON. STEPHEN O. BENNETT.

STEPHEN O. BENNETT was a native of the state of New York, born in 1807. Emigrating to the west, he located in Mt. Pleasant, Racine county, but at what date is not ascertained. He was by profession a farmer, and was elected in 1846 to the first Constitutional Convention from the county of Racine, in which body he served on the committee on amendments to the constitution. Mr. BENNETT was for a long period after state organization, a prominent and respected citizen of his county. He was a member of the state assembly in 1850, and of the senate in 1851–2, and held many other positions of responsibility and trust. He died several years ago, at what date is unknown.

HON. WILLIAM BERRY.

WILLIAM BERRY was elected to the Constitutional Convention from Walworth county. He was born in Salem, Massachusetts, December 20, 1780, but no record of his ancestry is obtainable, except that it was Puritan. He was educated in a common school, and was, by profession, a farmer and manufacturer. He settled at Honey Creek, Walworth county, in 1843, engaging in agriculture, having previously resided in Madison and Courtland counties, N. Y. He was married April 3, 1798, to NANCY MELLEN, of Pelham, Mass. Having been detained from some cause, he did not take his seat in the convention until ten days after its session began, for which reason his name is not recorded upon any of the standing committees; but his votes upon all propositions and articles submitted, evince intelligent inquiry, and a thoroughly honest purpose to follow his convictions of duty and right. He was in every sense a good man and public spirited citizen, of sound practical knowledge and excellent sense. Of his family, only a daughter remains. The date of his decease is not stated. He was the oldest man in the Convention.

While in Courtland county, N. Y., Mr. BERRY for a season held the position of common pleas judge, and for several years that of justice of the peace in Wisconsin.

HON. LORENZO BEVANS.

LORENZO BEVANS was a native of the state of New York, born in 1805, settled in Grant county at an early age, and by profession was a lawyer. He was elected a member of the first Constitutional Convention in 1846, from the county of Grant, and served in that body as chairman of the committee on municipal corporations. He was a gentleman of pleasing address, highly cultivated, possessed of decided abilities, and ever commanded the respect of his associates and friends. He died in 1849.

HON. DAVIS BOWEN.

DAVIS BOWEN was a native of Pennsylvania, born in 1794, and by profession a farmer. He was elected to the first Constitutional Convention from Decatur, Green county, and served in that body on the committee on miscellaneous provisions. He was a gentleman of fine abilities, well cultured, and highly respected. Of his subsequent career, the committee have no record. He is reported as still living, at the ripe old age of eighty-six years.

HON. JOSEPH BOWKER.

JOSEPH BOWKER was born in Locke, Cayuga county, N. Y., October 9, 1797. His father was SILAS BOWKER, but the ancestral record has probably been lost. He was married October 9, 1817, to ELIZA MINARD, and removed to Wisconsin in the spring of 1844, settling first at Geneva Lake, then removed to Delavan, Walworth county, where he served several years as a justice of the peace. Profession and general occupation, farmer and merchant. He had filled the position of judge before coming west. He died at Delavan, March 26, 1856.

He was elected a member of the Constitutional Convention of 1846, from the county of Walworth, serving in that body on the committee on preamble, and was active and zealous in his efforts to secure an organic law acceptable to the people and worthy of the great state whose coming was so plainly foreshadowed. We have no record of his after career, but presume that, like most of his associates, he preferred home and private position, in which he remained from choice.

HON. JOHN W. BOYD.

JOHN W. BOYD was born in Charlton, Saratoga county, New York, September 15, 1811. He was the son of JOHN L. BOYD, of Solon, Cortland county, in that state. He received a common school and academic education, and spent his early life in Cortland county, till 1844, devoted to farming, excepting four years, in which he was engaged in mercantile business, at Cincinnatus, in that county. He settled in Wisconsin, at Geneva, Walworth county, in 1844, where he has ever since resided; and has devoted himself to agricultural pursuits. In 1846, he was elected as a representative from the county of Walworth, to the first Constitutional Convention, and served on the committee on the executive of the state. He ranked among the substantial members of that body, exercising at all times, a remarkable degree of common sense, a practical knowledge of affairs, and giving constant attention to duties, rendered him a man of large influence in shaping the organic law of the state. He was not what might be termed a speech-maker, but he expressed himself on many questions in a very clear manner, showing that he fully understood the subjects under consideration. Few men were more popular with his fellows, than was Gen. BOYD.

Mr. BOYD was commissioned as a major general of the militia of the territory, by Gov. DODGE. After the state government was formed, Gen. BOYD was elected to the

first state senate, and served during the sessions of 1848 and 1849. He was again elected in 1858, as a state senator for the term of two years. He rendered valuable service in this body, and was esteemed as an able, conscientious and influential member of the highest branch of the legislative department. Being a man of retiring habits, he has shrunk from prominent official positions, though his name has been frequently mentioned in connection with the chief magistracy of the state; not, however, through any movement or desire of his own, but through the partiality of friends who knew his great worth. In his own town, he has ever occupied a prominent position, honored and respected by all who knew him.

For some fifteen years, between 1860 and 1876, Gen. Boyd was a member of the board of directors of the Madison Mutual Insurance Company, and was most of that time president of the company. He was a very able and faithful officer, discharging every duty with marked fidelity.

Gen. Boyd has been twice married, November 10, 1842, to Wealthy H. Hathaway, of Solon, New York; and again September 9, 1858, to Persis A. Buell, of Linn, Wisconsin.

It is fortunate for any new country to have men like Gen. Boyd settle in it. Wisconsin has been largely benefited from his counsel and labors in its behalf. His record is a worthy one; every act of his life has been based upon principles of right; his character has been exceptionally pure and honest; to deal out equal and exact justice to all mankind has been his rule of action, and most nobly has he lived up to that rule. At the age of sixty-nine, Gen. Boyd is full of vigor; and has every prospect of being spared yet many years to bless his people. His life has been an honor to his race, and is worthy of imitation by all. Without enemies, he is enjoying the sweets of old age, that a well spent life is sure to bring — honored and respected by all who know him.

HON. P. A. R. BRACE.

Mr. BRACE was a native of the state of New York. At the time he was elected a member of the first Constitutional Convention, he had resided for several years at Prairie du Chien, following his profession as a lawyer, and had secured the general esteem and confidence of his fellow citizens. He was only twenty-five years of age at the time of his election. Delayed in reaching the capitol for several days after the commencement of the session, his name does not appear upon any of the standing committees. The part he took in the proceedings, while not conspicuous, was evidently guided by cultivation and intelligence. He died a few years later, and, as far as known, attained no further official position. His personal record has not been within reach of the committee.

HON. HIRAM BROWN.

HIRAM BROWN was born in Connecticut in 1803, and by profession is a farmer. He was elected from Exeter, Green county, to the first Constitutional Convention, in 1846, and served in that body on the committee on revision and adjustment of the articles of the constitution adopted by the convention He was noted among his associates for sterling qualities of manhood, careful attention, and an intelligent appreciation of the work in hand. But little has been ascertained of his career subsequent to the convention. He is reported as still living.

HON. CHARLES E. BROWNE.

His father was JONATHAN BROWNE, who served as a captain in the war of 1812, and was distinguished for bravery, intelligence and personal worth. His mother, ABBY BROWNE, was a woman of fine mind and exemplary Christian character. CHARLES E. BROWNE was born in Granville, Washington county, N. Y., January 16, 1816. Received a good common school education, and has generally followed the pursuit of an insurance and real estate

agent. He settled in Granville, Milwaukee county, in February, 1836. June 6, 1850, he was married to MARTHA E. EVERTS, of the city of New York.

Mr. BROWNE held many local offices in early times. In 1840, he was school commissioner and supervisor of the town of Granville. In 1842–3, he was elected sergeant-at-arms of the Territorial Council. Was a member of the board of county supervisors of Milwaukee county in 1843. In 1844, was elected a member of the Territorial House of Representatives. In 1846, he was elected a member of the Constitutional Convention, in which he took a useful part. In 1849, he was appointed an appraiser of school lands. In 1866, having removed from the state, he was elected a trustee of the village of Evanston, Cook county, Illinois.

Mr. BROWNE experienced many of the hardships and privations of pioneer life. In 1836, he made a trip on foot to Chicago to procure certain necessaries not obtainable in Milwaukee, and on his return was lost in the woods for two days and a night in mid-winter, in a temperature far below the freezing point. To frighten away the wolves, and keep from frost-bites, he occupied a large part of the time in chopping down trees as a means of warmth. Subsequently in his travels, he had many encounters with the Indians, both hostile and friendly, and mentions one occasion on meeting with one of the latter class, where he was regaled in a princely manner at dinner, on what he afterwards discovered was *dog meat!*

Many experiences might be given of Mr. BROWNE after he left Wisconsin, but they are not included in the plan of these sketches. His career has been one of great usefulness and activity — and he has endured both the smiles and frowns of fortune, without in the least disturbing his equanimity. He is now residing at Grand Rapids, Michigan, and at the age of sixty-four years, hale, hearty and in possession of excellent health, surrounded by a happy family, and in the enjoyment of all needed comforts of fortune.

HON. CHARLES BURCHARD.

CHARLES BURCHARD is a descendant of the revolutionary stock of 1776. His father, JABEZ BURCHARD, was a soldier serving under BENEDICT ARNOLD at West Point at the time he attempted to betray that important post to the enemy, and was one of the guard at the time of the execution of ANDRE. He was born in Granby, Hampshire county, Massachusetts, January 1, 1810, enjoyed an academic education, and in early life was by occupation a farmer. February 25, 1829, he married MARTHA PITCHER, and for some years resided in Oneida, Lewis and Madison counties, N. Y. Settled in Prairieville (now Waukesha) October 22, 1845, and subsequently removed to Beaver Dam, Dodge county. Was elected a member of the first Constitutional Convention from Waukesha county, and served on the committee on suffrage and elective franchise, and took an active part in all the proceedings of that body. Had filled the position of chairman of the board of supervisors of Waukesha county before his election to the convention. Was elected a member of assembly in 1856, and seven times to the county board of Dodge county. Was commissioner of the board of enrollment for the fourth district of Wisconsin, with rank of major, U. S. A.

While residing at Hamilton, New York, Mr. BURCHARD occupied a prominent position in the political world. From 1840 to 1844, he was a member of what was then known as the "Liberty" or anti-slavery party. He was a great admirer of HENRY CLAY, and on the nomination of that distinguished statesman for the presidency, in 1844, after mature deliberation, Mr. BURCHARD came to the conclusion that it was his duty to support Mr. CLAY, and to do all in his power to advance his interests. He therefore wrote and published a letter over his own name, giving reasons why liberty party men should cast their votes for HENRY CLAY. This letter was one evincing much ability, and

attracted great attention in the country. Was copied into nearly every whig paper in the free states, and in many in southern states. It produced marked effect, and gave its author a wide reputation as a man of strong mind, and as a reasoner of much power. No man regretted the defeat of the great Commoner more sincerely than did CHARLES BURCHARD.

Mr. BURCHARD had wide and varied experiences in pioneer life, and could have furnished many graphic descriptions of early days, as his career in the west has covered the entire growth of the state. Personally, he possessed many strong characteristics, and like his compeers, ever exercised a strong social and political influence, always, happily, for the public good. His career, indeed, was ever one both honorable and useful. His example is worthy of all praise. He died at Beaver Dam, April 1, 1879.

HON. THOMAS P. BURNETT.

THOMAS P. BURNETT was born in Pittsylvania county, Va., September 3, 1800, and after receiving a liberal education, embraced the profession of law. He located in Prairie du Chien, in 1830, and soon secured a large and profitable practice, and became widely known throughout the territory. December 29, 1836, he was married to LUCIA MARIA BRUNSON, daughter of Dr. ALFRED BRUNSON, of Prairie du Chien.

In 1846, he was elected a member of the Constitutional Convention, from Grant county. The body commenced its session on the 5th of October, but he did not take his seat until the 14th. He was assigned a position as a member of the committee on municipal corporations, serving for about three weeks, when he returned to his home. On the 10th of November, the Hon. J. ALLEN BARBER, an associate colleague, announced to the convention that Mr. BURNETT had died at his residence, November 5, and also his wife on the same day; and that Mrs. JUDITH BUR-

NETT, his mother, also died November 1, 1846 — all swept off by some form of malignant fever. The convention immediately thereupon adopted resolutions of condolence, respect and sympathy; to go into mourning by wearing crape on the left arm of each member for thirty days; and adjourned over for one day out of respect to the memory of their deceased brother.

Mr. BURNETT had acquired great prominence during his comparatively brief career, and had he not been so suddenly stricken down, would have justly ranked among the great leading lights of the convention. He was a worthy and valued citizen, eminently gifted, intelligent and useful. His death created a profound and painful sensation over the entire northwest, where he had been so well and favorably known.

HON. ANDREW BURNSIDE.

The father of Mr. BURNSIDE was of Scotch descent — the mother of English. Soon after their marriage they emigrated to the West Indies, and were for a number of years engaged on an indigo plantation. They removed hence to Laurens district, South Carolina, where ANDREW was born in 1786. After receiving a common school education, he studied surveying and engineering, a profession he followed for a long period, but always in connection with large farming interests. Among other fields of labor, he made large surveys of government lands about Michigan City, Chicago, Green Bay and in Minnesota. He married JANE CROSSEN, whose parents were of Irish descent — date not recorded. After residing in Indiana and Illinois for many years, he settled at Gratiot's Grove, in what is now La Fayette county, in 1845, purchasing the farm of SAMUEL SCALES, north of White Oak Springs. Previous to locating in Wisconsin, he had held the position of magistrate in Knox county, Indiana, county commissioner and assessor in Laporte county, same state, and several

times surveyor of the same, and, it is probable, a member of the Indiana constitutional convention.

Mr. BURNSIDE was elected a member of the Constitutional Convention of Wisconsin in 1846, and served in that body on the committee on finance, taxation and public debt. While not specially prominent or conspicuous, he was noted for his clear understanding, strong sterling sense, and firm integrity of purpose, which endeared him to all his associates.

The pioneer experiences of Mr. BURNSIDE were long and varied. Shortly after his marriage, in company with his brother, EDGEHILL BURNSIDE, and wife (parents of Gen. AMBROSE E. BURNSIDE), he removed to Indiana soon after its territorial organization, traveling the whole distance and crossing the Cumberland mountains in the old-time large southern wagons, the greater part of the distance being then through a wild and almost uninhabited country. He settled on White river in the south end of the state before even counties were formed, and here with his own hands erected a log cabin for his family. As there were no saw mills in all that section, the floor and furniture were made from poplar "puncheons" hewn by himself, while oak shieves split out of logs formed the roof. After some years passed in an effort to clear away the forest, he got sufficiently discouraged to sell out and moved to Knox county, where he built a hotel and saw mill. A few years later, he removed to the wilderness in the northern part of the state, locating on Pine lake, in Laporte county. Here he began the survey of public lands for the government. He entered the land and laid out the site of Michigan City, which, for some years, it was supposed would become a western metropolis; but the shifting sands at the mouth of the river destroyed that illusion. After surveying a portion of the country on the Calumet and Kankakee rivers, he removed, in 1842, to Freeport, Illinois, but continued surveys in the Green Bay country, doing the whole of the

work on the Peshtigo river. Subsequently he made extensive surveys in northern Minnesota. When he first commenced this class of labors, the frontier land office was located in Cincinnati, Ohio — MICAJAH F. WILLIAMS register and receiver. When he closed, the frontier had practically receded beyond the Mississippi, if not Missouri. Of course a life thus passed amidst the wilds and fastnesses of the west, witnessed many stirring events and dangers by "flood and field," but our space is too limited to dwell upon details. After a long career of usefulness and honor, he died at the age of about eighty years. He had always enjoyed remarkably good health until within a few weeks of his decease.

HON. DANIEL R. BURT.

The ancestors of DANIEL R. BURT were from England. His father, OLIVER BURT, was born in Springfield, Massachusetts, in 1776. His mother, WEALTHY RAYMOND, was born in Stockbridge, in the same state. She was a descendant from an old aristocratic family, still existing in England, by that name. The young Lord RAYMOND, as he was called, contrary to the wishes of the Earl, his father, made the acquaintance of a young Danish lady belonging to the aristocracy of that country, and married her. The act so offended the father, that he disinherited the son, settling a pension on him for life, on condition that he would go to America. The mother of our subject was a grand-daughter of the disinherited lord.

DANIEL R. BURT was born in Florida, Montgomery county, New York, February 29, 1804. His education consisted of twelve months' attendance at a common school, on the frontier in western New York; the balance was obtained in the work-shop and in the field. Since 1820, up to the first of the present year (1880), his occupation has been farming, milling and manufacturing. At the latter date, he retired from active business. He was

married, September 1, 1831, to LYDIA ASHLEY, of Claremont, New Hampshire. After the death of his first wife, he was again married, January 16, 1867, to Mrs. M. T. ENNOR, a native of Vermont. Mr. BURT resided in Livingston county, New York, till May 1, 1827, when he removed to Ontario, Canada West; remained there till October 10, 1830; then located at Tecumseh, Michigan, where he remained till 1835, in which year, he located 2,000 acres of land in Grant county (then Iowa), Wisconsin, the present location of Lancaster, and settled his family, July 1, 1835, at Waterloo, in that county, and built mills at that place the same year, it being eight miles from any settlement at the time. He opened roads at once to Cassville, eleven miles; to Potosi, eight miles; to Beetown, eight miles, and to Hurricane Corners, six miles; and was at a large expense for the construction of bridges, etc. Mr. BURT resided in Grant county for twenty-three years after his first settlement there, and was engaged in farming, milling and manufacturing. He has paid taxes in Wisconsin every year since the organization of the territory, and at one time owned 5,000 acres of land in the state. He has built, in this state, two saw mills, two flouring mills, and two woolen mills; and in Iowa, in the wilderness, under contract with the government, he built a flouring and a saw mill. In 1856, he commenced manufacturing agricultural implements, at East Dubuque (Dunlieth). After aiding to build up a successful business, he transferred the establishment to his son.

In 1840, Mr. BURT was elected, as a representative from the county of Grant, to the territorial house of representatives, for two years; and was again elected to the same position in 1847, and served in that capacity till the close of the territorial government. He was many years a member of the Grant county board. In 1846, he was elected a representative from that county in the Constitutional Convention. He did not take a prominent part in

that body as a speaker, but among his associates was noted for strong, practical common sense, and sterling qualities of head and heart.

From the foregoing record, it will be seen that DANIEL R. BURT was a real pioneer; endured many of the hardships of early life in the west, and has been active in developing the vast resources of the country. His life has been a busy and a useful one; and now, in a ripe old age, he is enjoying the rich fruits of a long life devoted to practical works. He relates to the writer, a few incidents of early pioneer life, that he says were of interest to him at the time, and as they may be of interest to the present generation, as showing the toils they know nothing about, the insertion of one or two will be proper. Soon after his settlement in Grant county, his supplies of food became short, and failing to receive any from St. Louis, as he had expected, none could be purchased nearer than at Paris, on the Platte. To reach that place, with a team, he was obliged to take a circuitous route, by way of McCartney's, eight miles; then to Beetown, eight miles; to Lancaster, ten miles; to Potosi, fourteen miles; to Paris, four miles. His place was only eight miles from Potosi, but there was no road. He stopped over night at a cabin where Potosi now is, and in the morning started for home through the timber, on a route that had never been traveled before, by man or beast. He had a man with him that drove the team, he himself selecting the route and cutting away the trees. He reached Boice Creek, about half way, by ten o'clock, and with but little difficulty. At that point there was a formidable obstruction. The Mississippi was high, and the water covered the bottoms of the creek a quarter of a mile, to the depth of eighteen inches; and in the channel of the creek, some forty to forty-five feet wide, the water was ten feet deep. The wagon was a new one, and the box was reasonably tight. After corking up some of the open places with leaves, the wagon was placed on the

verge of the perpendicular bank, with ten hundred pounds of provisions on board, to be forced by the man into the channel, when all was in readiness. Mr. BURT then swam the horses over the creek, and placed them on a selected spot; whiffletrees and chains put in readiness, to which the horses were attached. He then cut a grape vine, and hitched one end of it to the pole; then taking the other end in his teeth, he swam the length of the vine, and ordered his man to force the wagon into the creek, which was promptly done, and the wagon and its freight floating grandly, Mr. BURT swimming and towing the whole by the grape vine, till it reached the standing ground, when the horses were hitched on, and all was brought safely over the bottom. The bluff was then ascended without difficulty, and he arrived opposite his home about one o'clock. Here another obstruction was found. For some distance either way, the bluff was steep and rocky. A point where timber had been rolled down was selected, the inclination being about thirty degrees from perpendicular. All the wheels were chained, and a tree of fifteen inches in diameter, with a large, expansive top, was felled, and chained to the hind axle tree. Thus fixed, the descent was made in fine shape, and the cargo was safely landed at his home.

Mr. BURT has traveled over forests and prairies, at all seasons and at all hours; was twice lost in snow storms, and on both occasions remained out till sunrise. On both of these nights, men were frozen on the same prairie. He claims that he did not suffer, but walked just fast enough to keep warm, and never sat down. In December, 1840, he walked from Ft. Atkinson to Prairie du Chien, a distance of fifty miles, through the snow, eleven inches deep, over the prairie, and without the least sign of a track; and the same day, after riding from the Prairie to Patch's, walked over Blake's Prairie, a distance of ten miles more, after eight o'clock, on a bitter cold night, over a houseless

and trackless prairie; and the same night rode home on horseback, after twelve o'clock, a distance of eight miles more. On the 27th of December, 1835, he walked from Plumb's residence, above where Savanna now stands, to Rock Island — seventy-two miles — and forded many streams where the water reached his vest pockets; and when out of the water three minutes, his clothes would be frozen as stiff as a board. There was not a house on the whole distance; nor a track or mark of civilized man to be seen. Returning, he traveled to the mouth of Rock river, thence up that river into Wisconsin, to the point near where Janesville now stands; thence through Rock, Dane, Green and Iowa counties, and finally located in Grant county. Such were the trials of many of the early pioneers. It is difficult for the young of the present day to realize the realities of life in a new country.

HON. JAMES B. CARTER.

James Bruce Carter was born in Rochester, N. Y., January 13, 1815. His father, David K. Carter, and mother, Elizabeth Carter, were both from Massachusetts. He had a common school education, and his general occupation has been that of a farmer. He was married July 7, 1855, to Isadore F. Swift. He settled in Racine county, in February, 1845, and many years since removed to Black River Falls, Jackson county, where he now resides, having during all this time persistently avoided holding any office, public life seeming to have no attractions for him.

As Mr. Carter did not take his seat in the first Constitutional Convention until two weeks after it had organized, no conspicuous part in its work was assigned to him. His career as a pioneer citizen, however, has been one eminently worthy and useful to the communities in which he has resided, and his neighbors and old friends unitedly bear testimony to his sterling worth, integrity, and valuable services as a frontier citizen.

HON JAMES CHAMBERLAIN..

JAMES CHAMBERLAIN was born in Foreham, England, in 1792, and came to this country in 1817, settling first in New York city, where he remained four years; he then went to Hartford, Connecticut. He was a master builder, and a very skillful workman. In 1837, he came to Wisconsin and settled, in what is now the town of Bradford. He experienced the usual privations attending the settlement of a new country, but he took a cheerful view of things, that rendered life happy. His skill as a mechanic soon became known, and work was abundant. He built the old court house in Rock county, and constructed the first bridges over Rock river, at Janesville, Beloit and Roscoe.

In 1846, Mr. CHAMBERLAIN was elected a representative from the county of Rock to the Constitutional Convention, serving in that body on the committee on the act of congress for the admission of the state. His practical sense rendered him a very useful member of the convention, and he was held in high esteem by his associates.

Mr. CHAMBERLAIN was an excellent citizen, a kind husband and father, and a neighbor ever ready to do a kindness where it was deserved. He died at La Prairie, September 10, 1874, aged eighty-two years and six months.

HON. HORACE CHASE.

HORACE CHASE was born in Derby, Orleans county, Vt., December 25, 1810. After receiving a common school education, he made merchandising his general profession. In 1835, he located in Milwaukee, opening a store in a small shanty erected for the occasion. In 1836, in company with a brother, a large and commodious structure was built, and for several years the firm carried on all the forwarding and commission business of the place. October, 1837, he married SARAH ANN GRAY, who died in

August, 1852. In 1858, he was again married to MARY H. DAVIS, of Mount Holly, Vt.

He was elected a member of the Constitutional Convention in 1846, from Milwaukee county, but as he did not take his seat until that body had been some days in session, his name does not appear in any of the standing committees. While the part he bore in the proceedings was not conspicuous, it was nevertheless marked by an honest purpose and sterling sense. In 1848, he was elected a member of the first state legislature, since which time his public services have been devoted to the growth and well-being of the city of whose birth he was a witness, in the capacity of mayor, alderman, and other minor positions. His career as a pioneer settler has been a long and useful one. Throughout he has enjoyed the respect and esteem of all parties, and filled every station with honor and credit.

Mr. CHASE has accumulated a large fortune, which he enjoys in a rational manner. It is a source of much pleasure to him, that he can look back to the time when Milwaukee had but three inhabitants, including himself, and that he has materially aided in building a great city with its one hundred and twenty thousand people. The only route of communication by land, between Chicago and Milwaukee, within the recollection of Mr. CHASE, was an Indian trail. These reflections afford an enjoyment that but few men, in any country, can fully realize.

HON. WARREN CHASE.

WARREN CHASE was born in Pittsfield, New Hampshire, January 5, 1813. He received an academic education, at Pittsfield and Gilmanton. In 1835, he settled at Monroe, Michigan, in which place he was married to Miss MARY T. WHITE, of Newport, New Hampshire. Mrs. CHASE died in November, 1875. In 1838, he came to Wisconsin, and in the spring of that year, settled in

Southport (now Kenosha), where he resided till 1844, in which year he located a colony at Ceresco, now Ripon, being the first settlers in the place. He was a leading man in the Phalanx, which for a time was prosperous, but became unpopular and was broken up.

In 1846, Mr. CHASE was elected a member of the first Constitutional Convention, and served in that body on the committee on miscellaneous provisions not embraced in the subjects of other committees. He was again, in 1847, elected to the second Constitutional Convention, and in that body served as chairman of the committee on banks, banking and incorporations. The proceedings of both conventions will show that Mr. CHASE was an able, active and strong member of those bodies. He reported himself as a farmer, but he was well versed on the subjects before the convention, and was among the best debaters in it. He did not indulge in long speeches, but was able to express himself in pointed and strong terms upon most questions that came up for consideration.

Mr. CHASE was elected a member of the first state senate in 1848, and served two years; he was efficient in the organization of state government. He served as chairman of the board of supervisors in Fond du Lac county. In 1850, Mr. CHASE was the free soil candidate for governor. In 1853, he removed to Battle Creek, Michigan, where he resided for some time. In 1872, he was a resident of St. Louis, Missouri, and was that year elected a presidential elector in that state. In 1876, he removed to California, and settled at Santa Barbara, where he now resides, and is editor of the *Independent* at that place. In 1879, he was elected a member of the California state senate, for a term of three years.

Mr. CHASE has lived a somewhat eventful life, having served as a member of two Constitutional Conventions, in Wisconsin, a presidential elector in Missouri, and a member of the senate in two states. His mind is somewhat

erratic, but it possesses much strength, and has been cultivated by extensive reading.

HON. WILLIAM H. CLARK.

WILLIAM H. CLARK was a native of New York, born in Brookfield, Madison county, in 1814. He received a liberal education, and ranked high among his associates for his scholarly attainments. He received his academic course at Hamilton, New York. Among his associates were Hon. WM. PITT LYNDE, of Milwaukee, and Hon. HARLOW S. ORTON, now of our supreme court. In these days, the writer knew him quite well. He was an excellent scholar, and was an able writer. He furnished a large portion of the dialogues for closing exhibitions during his term at the Hamilton Academy. To reading and study, he devoted his whole time; rarely joining in the sports of his fellow-students in the play grounds. He studied law, and soon after his admission to the bar, he settled at Prairie du Sac, in the county of Sauk, in the then territory of Wisconsin. He was a very early settler in that county, and soon took rank as a man of superior ability. As a lawyer, he was deemed the ablest in the county, and equal in legal learning to any lawyer who attended court in that circuit. He was elected a representative from Sauk county, in the convention of 1846, and served on the committee on municipal corporations. He did not take a very active part in the proceedings of that body, but his native genius, kindly disposition and cultivated mind, gave him a respectable position among its members.

After the county seat was fixed at Baraboo, Mr. CLARK removed to that place, where he continued in the practice of the law for many years. A few years ago, he removed to Dexterville, Wood county, where he died in the early part of the present year (1880). He was twice married. At the March term, 1880, of the court in Sauk county, notice was taken of the death of Major CLARK, and Gen.

S. S. BARLOW announced it to the court in a brief and appropriate speech, from which we take the following extract, as appropriate in this connection:

Major CLARK was a man of very fine sensibilities, modest and retiring in his habits, yet very social with those with whom he was intimate. He was possessed of a keen sense of humor and at times was very witty, yet his wit was always of a pleasant kind. He had no desire to wound the feelings of any one, and would much rather forego a joke than wound the feelings of any one. His literary tastes were of the highest order. He could repeat long passages of scripture and extensively from our classic English poets, and would often do so when alone with his friends. In his profession he was honest, and in his judgment of law he was able. He was well educated in his profession, well educated in general, and particularly in classic literature. And yet I cannot forbear quoting as peculiarly applicable to his case the words of Whittier:

"Of all sad words of tongue or pen,
The saddest are these, it might have been."

At the same time the following resolution was unanimously adopted:

Resolved, That in the death of our late friend and brother, W. H. CLARK, we feel that we have lost the father of our profession in this county, the oldest and for many years the ablest member of our bar, a gentleman of scholarly tastes and fine literary attainments, one whose memory will always be cherished by those who knew him, and cherished most sincerely by those who knew him best.

HON. SAMUEL T. CLOTHIER.

SAMUEL T. CLOTHIER was a native of Massachusetts—date of birth not recorded—and by profession a farmer. He was elected, in 1846, to the Constitutional Convention from Cold Spring, Jefferson county. Not reaching the capitol until some days after the session commenced, his name was not placed upon any of the standing committees. He is remembered as a courteous and intelligent gentleman, well posted in parliamentary law, and earnestly desirous of securing the greatest public good to the generations to come after, by a liberal and just organic law, which would secure equality to all citizens alike. His after career and fate are unknown.

HON. EDWARD COMBE.

EDWARD COMBE was elected to the Constitutional Convention from Richland county, in 1846. He did not take his seat until a month after the session had commenced, and hence was assigned to no standing committee, and his personal record has been unattainable. Our recollection of him is, that he was an affable and courteous gentleman, suffering from ill-health, which was a bar to active labor in the work in hand, and that he took but little part in the proceedings. About all that can be learned of him is, that he died several years ago.

HON. JOHN COOPER.

JOHN COOPER was a native of the state of New York, born in 1810, and a farmer by profession. He was elected to the first Constitutional Convention in 1846, and served in that body on the committee on the constitution and organization of the legislature. The part he took in the proceedings was not a prominent one. He was a gentleman of good cultivation and fair acquirements, much esteemed by all. No record of his personal career has reached the committee. He is understood to be still living, but where, has not been ascertained.

HON. HOPEWELL COXE.

HOPEWELL COXE was born in Northumberland, Northumberland county, Pennsylvania, June 28, 1812. He received a common school education. In 1832, he commenced the study of the law, in Williamsport, Penn., with Judge ELLIS LEWIS, a man of prominence in the legal profession in that state. Mr. COXE was admitted to the bar in 1838, and commenced the practice of his profession in Williamsport, in company with ROBERT FLEMING, in 1839. In 1842, he removed to the state of Kentucky, where he spent some three years; and in the spring of 1845, he settled in the territory of Wisconsin. He stopped first in

Milwaukee for a short time, and settled in Cedarburg, Washington county, in 1846. In the fall of that year, he was elected probate judge, an office he held for eight years.

He was elected as one of the representatives of Washington county (then including what is now Ozaukee), in the Constitutional Convention of 1846, and served on the committee on suffrage and elective franchise. He rendered valuable service in this body; possessed more than average abilities, and was highly respected by his associates.

After state government was established, Mr. COXE served in the assembly during the session of 1857, representing the southern district of Washington county. In 1852, he removed to Hartford, at which place he died June 16, 1864.

January 9, 1847, Mr. COXE was married, in Milwaukee, to Miss AMELIA LUDWIG. His widow, and three children — Mrs. H. W. SAWYER, and Messrs. C. H. and H. D. COXE — now reside at Hartford in this state.

HON. JOHN CRAWFORD.

The sketch furnished us by the venerable JOHN CRAWFORD embodies so much of pioneer life and experiences, that we depart somewhat from our plan, to give its details in greater completeness.

His father, WILLIAM CRAWFORD, was born in Worcester county, Massachusetts, and was a son of ROBERT CRAWFORD, who was of Scotch-Irish descent. His mother was a native of Massachusetts, whose maiden name was MARY SAMSON. She died in March, 1810, and the father soon after — both in Chester, Vermont. JOHN CRAWFORD was born in Royalston, Worcester county, Massachusetts, December 4, 1792. Was self-educated, not having enjoyed the advantage of schools, other than the school of practical life. Was by occupation a farmer, but spent some years

as a sailor and navigator on the St. Lawrence river and great lakes. Married to MARY ANN KITTENHOUSE, September 20, 1814, in Madrid, St. Lawrence county, New York. She was born in Philadelphia, Pennsylvania, December 18, 1786, and still survives. Of seven children born to them, only one is now living.

Mr. CRAWFORD left Chester, Vermont, in April, 1810, locating in St. Lawrence county, New York, until 1836. During this period he was commissioned captain in the 153d regiment of New York infantry, by DE WITT CLINTON, February 17, 1820, and subsequently was promoted through all the grades to major general. In May, 1829, was elected brigadier general of the 49th brigade, as successor to SILAS WRIGHT, the distinguished and lamented statesman of a later period. In April, 1832, was commissioned as major general of the 29th division of infantry, by Gov. ENOS T. THROOP — JOHN A. DIX, adjutant general. In November, 1834, received the appointment of inspector of the revenue for the district of Oswegatchie, with headquarters at Maddington, in St. Lawrence county, which he resigned in 1836, to visit Milwaukee and secure a new home. After some years spent upon the lakes, settled with his family in the town of Wauwatosa, in 1840. Was elected a member of the territorial legislature in 1845, and to the Constitutional Convention in 1846, from the county of Milwaukee, in which he served on the committee on militia. In 1853, he was elected to the assembly, and in 1866, supervisor at large of Milwaukee county, and also held numerous other local and less conspicuous offices, both before and after this period, the duties of all of which were discharged with conscientious and scrupulous honesty and fidelity.

Mr. CRAWFORD probably commanded the first lake boat that ever entered Milwaukee river, which was on the 14th of June, 1837. He managed to push his craft as high up the stream as the present Chestnut street bridge — a notable event at the time in the history of that village — and

one worthy of commemoration. At this writing he is over 87 years of age, and his wife over 93, having lived together more than 65 years — "never having been divorced, as is the modern practice," he adds, very significantly. Such pioneers as this may be said to have been living witnesses of the entire period of western civilization, from a time when the lakes were truly desert wastes, and the land an almost unbroken solitude. With two or three exceptions, they have seen the beginning of every city and lake port, as well as the mighty changes in the interior of all bordering states. Such a life is necessarily full of thrilling incidents and experiences in every way deserving permanent record, did our space permit of further details. Let us all earnestly hope that this venerable pioneer family may be long spared to the land they have done so much and so long to build from the primitive wilderness. No more upright, honorable or useful pioneer settler has lived or is still living in Wisconsin than the one whose memorial record we are now writing.

HON. THOMAS CRUSON.

The father of Mr. CRUSON was a native of Delaware, and the mother, of Maryland. They settled in Kentucky, in 1790. THOMAS CRUSON was born in Mason county, Kentucky, December 10, 1802, and remained in the same place till 1824. He received a common school education, as good as was usual at that time. His principal occupation has been mining, though he has given some attention to farming. Was married in Platteville, Wisconsin, to Miss CATHERINE GREEN, on the 16th of December, 1832. In 1824, located in St. Louis; in 1826, removed to Galena, and commenced mining at New Diggings. In September, 1829, removed to Platteville, where his family remained till 1853, when it joined Mr. CRUSON in California, where he had been for the two previous years. He was in Gen. DODGE'S command in his first expedition against the Win-

nebago Indians, in 1829, and furnished his own horse and equipments. He was a member of the territorial legislature, at its first session in Madison, in 1838; and was a member during the sessions of 1839, 1840, 1845 and 1846. In 1846, he was elected a representative from the county of Grant, to the Constitutional Convention, and in that body served on the committee on amendments to the constitution. He was not prominent on the floor of the convention, but was esteemed as a man of good practical sense. After the convention, he served as county commissioner, and took part in the first division of Grant county into townships. He now (1880) resides in Placerville, California. He writes, that "In the convention, I acted with the Whig party, and have remained in the faith (with slight modifications) ever since.

HON. WILLIAM M. DENNIS.

WILLIAM M. DENNIS is a native of Rhode Island, and was born in 1810. He was one of the early pioneers to Wisconsin, and has been a prominent resident of Watertown during the existence of the place. For many years he has been in the banking business. He was a member of the territorial house of representatives in 1846, and the same year was elected a member of the first Constitutional Convention, from the county of Dodge. He served in that body on the committee on education, schools and school fund, and was an energetic worker, and a very useful member of the convention. After the state organization, Mr. DENNIS was elected to the first state senate, and served during the years 1848–9; in 1853, he was a member of the assembly, and from 1854 to 1858, he was bank comptroller. In all these positions he was faithful to duty, affable in manner, and in all respects, a capable and popular official. He is a gentleman, extensively known in the state, as a man of excellent business judgment, sound practical sense in all things, and is generally respected by those who know him.

The life of Mr. DENNIS has been a busy one; but he shrinks from giving particulars to the public, otherwise this sketch would have been much fuller and more complete.

HON. NATHANIEL DICKINSON.

The ancestors of Mr. DICKINSON were from England, and settled in Massachusetts in the early part of the eighteenth century. His father, JOHN DICKINSON, married ELEANOR HICKS, and removed to Vermont in 1790; he was in the battle of Plattsburg, September 11, 1814. NATHANIEL DICKINSON was born at Calais, Vermont, December 20, 1810; received a common school education, and became a carpenter, joiner and builder. He was married at East Calais, January 26, 1841, to Miss PHILA FOSTER. His wife died March 13, 1873. In 1834, he settled at Barnett, Caledonia county, Vermont; in 1836, went to Boston and remained about one year, when he removed to Haverhill, New Hampshire, where he remained till 1843, in which year he came to Wisconsin, and settled at Burlington, Racine county. In 1846, Mr. DICKINSON was elected a representative to the Constitutional Convention from the county of Racine, in which body he served on the committee on the boundaries and name of the state. His record in the convention was a highly creditable and honorable one. He was four years a member of the Burlington board of supervisors; two years was the chairman; and he served two years as a justice of the peace. He was connected with military companies in Massachusetts and New Hampshire; and was a captain of Co. G., 4th Wisconsin, under Gov. DEWEY. In 1854, he removed to Spring Prairie, Walworth county; in 1860, to Delavan; in 1863, to Elkhorn, where he now resides.

HON. JAMES DUANE DOTY.

To write a complete sketch of Gov. DOTY would be to write the whole history of pioneer Wisconsin, with nearly

every public event in which he bore a part or had official connection from the beginning. Probably no public man ever experienced greater vicissitudes in the ebb and flow of popular feeling, or occupied conspicuous and leading positions for so long a period. But as the plan of this work forbids much of detail, a summary must embody the most salient features of his career, leaving the proper filling up, where it properly belongs, to the historian.

Mr. DOTY was born in Salem, Washington county, New York, in 1799. After a thorough preliminary education, he adopted law as a profession, and located at Detroit, Michigan, in 1818. He was soon after made secretary of the legislative council and clerk of the court. In 1820, he was one of the party who, under Gov. CASS, made the celebrated voyage of the upper lakes in canoes, negotiated treaties with several Indian tribes, and made a report on that then almost unknown region, which will ever be read with pleasure and profit by every student of American annals.

In 1823, congress passed an act providing for the appointment of an additional judge for the territory of Michigan, and to establish courts in the counties of Michilimackinac, Brown and Crawford, the latter two embracing the whole territory comprised in the present states of Wisconsin, Iowa, Minnesota and Dakota. Judge DOTY was appointed to the position, and at once commenced upon the work of the new circuit. The same year he married the eldest daughter of Gen. COLLINS, of New Hartford, Oneida county, New York.

His first term of court was held at Prairie du Chien, then little else than a military outpost among savages, and his first purpose was to have made that place his home; but he finally settled at Green Bay, where he kept his residence for about twenty years. He filled the office of judge for nine years, when a successor was appointed. He then devoted a lengthy period in making examinations

of the interior country — especially in Wisconsin and northern Illinois, with all of whose great topographical features he made himself personally familiar, being in advance of either surveys or settlement.

In 1830, he was one of the commissioners appointed by act of congress to lay out a military road from Green Bay to Chicago, Illinois, and to Prairie du Chien. In 1834, he was elected to the legislative council of Michigan to represent the district west of the great lakes. While in that body he introduced a bill to make Michigan a state, which was finally adopted, and led to the division of its territorial limits two years later, and the creation of Wisconsin and Iowa territories. Embarking in the land speculations that followed, Gov. DOTY, in partnership with Gov. STEVENS T. MASON, of Michigan, among other selections, entered the site of the present city of Madison, secured the location of the capital, and caused it to be surveyed and platted into lots, which was soon followed by pioneer settlement.

In 1838, he was elected delegate to congress from the newly organized territory, in which capacity he served until 1841, when he was appointed to the office of governor. His administration, owing to local causes, was a stormy one, and the records and press of the period are filled with details of bitter contention. After serving about three years, a successor was chosen, when he was appointed by the war department on a commission to treat with the Indian tribes of the northwest, with whom important treaties were soon negotiated.

In 1846, he was elected a member of the Constitutional Convention from Winnebago county, serving as chairman of the standing committee on the boundaries and name of the state, and a member of the committee on miscellaneous provisions. Owing to the bitter memories and jealousies of the period, the part he took in the general proceedings was not especially prominent, yet his minute geographical knowledge and long personal experience from actual travel

and investigation rendered his services invaluable to his associates.

In 1848, after the state organization, he was elected a member of congress from the third district, and re-elected in 1851. After an interval of some years' repose, he was appointed, in 1861, superintendent of Indian affairs, and subsequently governor of Utah territory, which position he held until his death, June 13, 1865.

An impartial estimate of the public career and services of Gov. DOTY, and their connection with the present, drawn by one who took some part against him in the contentions of early times, is a work in which any who participated might well feel diffident. Still there is a common ground upon which all will agree. He was a man possessing extraordinary genius and abilities, far beyond the common lot. He was versatile, polished, and of marvelously winning address. His ambition was great, noble and honorable. His chief and greatest pride, was in the growth and development of a state and country whose institutions he had assisted in creating, and to bear a conspicuous part in maturing events that had grown largely from his own labors. To great natural graces and gifts, he added profound learning; a keen insight into the secret springs of human action; a wealth of genial courtesy and sympathetic kindness; a brilliant command of language embellished by deep thought; a fund of humor ever flowing, and an active benevolence rarely found outside of frontier life. Nor was he selfish, or avaricious of personal gain, or the poor distinction of mere wealth. His opportunities were great, but his losses and sacrifices were so much greater as to keep him in pecuniary embarrassment the greater portion of his life. Vast as was the field of his labors — immeasurable the fruits — he rarely failed to be equal to, or greater than his surroundings; and, when impulse or passion did not blind, his judgment was rarely at fault. He reached results logically and almost by intui-

tion. His mistakes were human. His merits far preponderate in the scale of any just estimate of his career.

Politically, while filling the office of executive, he had many active enemies. Personally, he may be said to have had few, or none. Naturally enthusiastic, full of confidence in the rapid development of the fertile wilderness all about him, he embarked in extensive landed speculations to be rudely awakened, like others, from dreams of wealth inspired by ardent hope, rather than conditions of realization. In this, his experience was similar to that of all who participated in the prevalent impulse. But his prominent connection with public finances, and a banking system too feeble to stand alone, made him a conspicuous target for the shafts of even well meaning men — and much more so of the disappointed. That he was derelict in any form from purpose or choice, is contrary to the evidence of every act of his life. From private embarrassment to political hostility, in such cases, is but a step, and unluckily, the contest was intensified by some acts, which, if not arbitrary, must be classed as errors of judgment. In such controversies, and in the midst of excitement, the real motives and purposes of rulers are often not only wholly ignored, but even bitterly derided. Excepting a collision with the legislature, the official labors of Mr. Doty, in every position, were usually cordially sustained and approved.

It was the fortune of the governor to have begun public life in a field where almost every important actor secured special prominence. The explorers of unknown regions are usually conspicuous, and this especially where multitudes impatiently wait the information gathered. But it is little enough to say of him, that he would have been a man of mark in any country or state, at any time. His commanding person, dignified and affable address, and greatness of ideas and purposes, insured respect under all circumstances. Men instinctively felt that he was born to be a leader — the peer of the highest — qualified and fitted for any sta-

tion that might be allotted to him. His real history remains yet to be written.

HON. JEREMIAH DRAKE.

JEREMIAH DRAKE was born in Ulster county, New York, March 28, 1784. His father, CORNELIUS DRAKE, was born in the state of New York, May 10, 1765, and mother, PHŒBE DRAKE, September 25, 1762. His education was that of the common schools of the period. His occupation generally was that of a miller and farmer. He was married September 13, 1810, to LUCINDA BROCKETT. He resided in the town of Salisbury, Herkimer county, New York, from 1800 to 1842, when he removed to Aztalan, Jefferson county, Wisconsin, and the next year to Columbia county, where he resided until his death, December 6, 1868. His opponent as candidate for the convention in 1846, was JAMES T. LEWIS.

Mr. DRAKE served in the convention as one of the committee on education, schools and school funds, and throughout the proceedings of the body, made a highly honorable record as a diligent and useful member. At the close he retired to private life, and thereafter seems to have avoided all public positions, unless of a local nature.

HON. ABEL DUNNING.

ABEL DUNNING was born in Webster, Monroe county, New York, February 17, 1811. After enjoying a thorough common school education, he adopted farming as an avocation. September 10, 1838, he married HARRIET M. ROGERS, who died June 2, 1857. November 5, 1862, he married Mrs. DORA NEWHALL as his second wife.

Mr. DUNNING settled in Madison, Wisconsin, July 7, 1837, and has ever since remained on the farm he soon after selected for a homestead. He was among the first who broke the virgin soil in Dane county, and the first who put in a crop of any kind in the town of Madison; and,

with one or two possible exceptions, may properly be held the father of agricultural pursuits in all this region of country.

He was elected to the Constitutional Convention in 1846, from Dane county, and served in that body on the committee on preamble, as well as upon several select committees. While not specially prominent in the part he took in the deliberations, he nevertheless brought to the work a sound, clear and vigorous intellect, strong native sense, and an honest, upright and patriotic purpose to secure an organic law worthy of a great and free commonwealth.

The career of Mr. DUNNING, both before and after state organization, has not been strikingly eventful. He has held so many local town and county offices that a bare enumeration would be tedious — but they were always conferred without solicitation, and generally by the unanimous choice of his neighbors. Unambitious of public life, to which he has ever been disinclined, so far as any of the higher offices were concerned, his long career has been one of eminent and distinguished usefulness in practical works, the evidences of which are all about him. Indeed, he has witnessed and taken part in all the wondrous changes that have taken place from the beginning of white settlement; and now, at a ripe old age, is surrounded by troops of friends, embracing two generations, and enjoying the highest respect and esteem of all who know him.

HON. ELISHA W. EDGERTON.

ELISHA W. EDGERTON is a native of Connecticut, and was born in 1814. He came to Wisconsin at an early day, and for many years was a resident of the town of Summit, Waukesha county. While at that place, he was a successful farmer, and at one time had the reputation of possessing the best improved farm in the state. Some years ago, he sold his farm and removed to Milwaukee, where he now resides, and is in the commission business. In 1846,

Mr. EDGERTON was elected as a representative from the county of Waukesha, to the first Constitutional Convention, and in that body served on the committee on the boundaries and name of the state. He was not among the speech-making members of the convention, but his strong native sense, sound and practical notions, and his close attention to business, rendered him a very able and useful member, and one that secured the high esteem of his associates. In 1863, he served as a member of the assembly from the county of Waukesha. From its first organization, Mr. EDGERTON has been a leading member of the State Agricultural Society, and was one of its early presidents, and for many years served efficiently on its executive committee. He is a modest man, retiring in his habits, and shrinks from being made prominent. These characteristics will account for so few particulars in this sketch. They were not furnished.

HON. PITTS ELLIS.

JOHN ELLIS, the father of the subject of this sketch, was a native of Connecticut, and served in the old Indian war under Gen. WAYNE, and was wounded. He subsequently removed to the state of New York. PITTS ELLIS was born in the town of Murray, Genesee county, New York, February 29, 1808. He received a common school education, and was a mechanic. In after life he devoted considerable attention to farming, and to dealing in cattle and produce. He was married in the town of Perrysburg, Cattaraugus county, New York, February 23, 1832, to LUCIA W. BALCOM. Before coming to Wisconsin, he resided at Auburn and Niles, in the state of New York, and Tecumseh, Michigan. He was among the early pioneers of Wisconsin, and settled at North Prairie; afterwards removed to Jenkinsville (now Genesee), Waukesha county. He was the first justice of the peace, elected by the people of that town, and served as chairman of the town board of

supervisors. He was elected to the territorial legislature in 1845. In 1846, he was elected a representative from the county of Waukesha, to the Constitutional Convention, and in that body served on the committee on the act of congress for the admission of the state. While the part he took in the proceedings of the convention was not specially prominent, he was noted for valuable suggestions and services, and was, in all senses, a useful member. He was a member of the state assembly in 1850. He died in the village of Genesee, February 1, 1875.

HON. ANDREW E. ELMORE.

The father of Mr. ELMORE, a native of Connecticut, was of English descent; his mother, a native of New York, of Holland or Dutch descent. ANDREW E. ELMORE was born in New Paltz Landing, Ulster county, New York, May 8, 1814, received a brief common school education, and has generally followed the occupation of a merchant, and grain elevator and warehouse business. In November, 1839, he settled in Mukwonago, Milwaukee (now Waukesha) county, and resided there twenty-four years, since which he has resided at Green Bay and Fort Howard. He was appointed postmaster at Mukwonago, in 1840, when the office was first established, and held the position until 1849, and again appointed in 1853, and held it for four years. He married, November 24, 1841.

In 1846, he was elected to the Constitutional Convention from Waukesha county, and served in that body on the committee on revision and adjustment of the articles of the constitution adopted by the convention, as well as upon several select committees, and was in many respects a conspicuous and prominent member, and took an active part in the proceedings.

In 1842–3, he was elected a member of the territorial house of representatives, and served for two years, and in 1860, a member of the state assembly. He also filled the

office of chairman of the board of supervisors of Waukesha county for twelve continuous years.

The personal peculiarities and characteristics of Mr. ELMORE would alone make him a man of note in any community. He possesses in a remarkable degree a keen sense of wit and faculty of humorous satire, that overflows naturally on all occasions, especially among old acquaintances and friends, and seems without limit or end. Underneath this seeming levity lies a substratum of strong native common sense, cultivated intelligence, thoughtful and logical acumen, and a wise sagacity that early fastened on him the title of "Sage of Mukwonago," by which he is probably as well known as by his real name. He is one of the style of men that early hardships could not harden, nor prosperity spoil. Ever genial, cordial and companionable, he possesses a warm heart, strong friendships, active sympathies, an honorable ambition, and noble purposes and aims. He has for many years been a member of the State Board of Charities and Reform, and at the present time (1880) is its president; he gives much attention to the state penal and charitable institutions, both as an officer and citizen, and probably no one has given wiser and better counsel, or more zealously performed his part. He has ever been a good business man, sagacious in forecast, careful in management, and prudent in venture; and now, after a career in both public and private life of over forty years in the west, has troops of friends everywhere, a kind word for all, and is universally respected and esteemed.

HON. GARRETT M. FITZGERALD.

GARRETT M. FITZGERALD was a native of Ireland, born in 1809, and by profession a farmer. He was elected in 1846 to the Constitutional Convention from Milwaukee, and served in that body on the committee on education, schools and school funds. In 1847, he was re-elected to the second convention, and served on the same committee. Other-

wise, he took no prominent part in either body. He was a kind hearted, genial gentleman, of fair education, and ever popular with his associates. After state organization, Mr. FITZGERALD was a member of the assembly in 1850; he filled the office of county treasurer, and several other official positions in Milwaukee. Subsequently he removed to Watertown, Wisconsin, where he died several years ago.

HON. HAYNES FRENCH.

HAYNES FRENCH was a native of Vermont, born in 1808. He was elected to the Constitutional Convention from the south part of Racine, now Kenosha county, and was by profession a farmer. He was not conspicuous in the part he took in the proceedings, but was held in much esteem by his associates. It is not known that he ever held any other further public position. He died about 1872.

HON. BENJAMIN FULLER.

BENJAMIN FULLER was born in Warren, Litchfield county, Connecticut, in the year 1799, and resided in that place until 1832, when he removed to central New York. In the fall of 1844 he came to Wisconsin with his family, and spent the winter at Lima, near Whitewater, and in the spring of 1845, made a permanent location in the town of Rutland, in the county of Dane, being among the first settlers of that town. He resided there till his death in 1850.

In 1846, he was elected a member of the first Constitutional Convention from the county of Dane, and served in that body on the committee on eminent domain and the property of the state. He took an active part in the labors of the convention; was a man of strong will, honest purpose to preserve the right, and excellent sense. His services were of great usefulness, and he enjoyed the fullest confidence of his associates.

In early life, Mr. FULLER received a good education, and he devoted himself to the teaching of school winters and to

farming summers. His few years in the state gave promise of great usefulness in building up a new country, had his life been spared. The memories of him by his old acquaintances are pleasant, showing that he was a man highly respected as a neighbor and friend.

HON. MOSES S. GIBSON.

Moses S. Gibson was born in Livingston county, New York, in 1816; received a common school education, and his general occupation has been that of mercantile business a large portion of his life. He settled at Fond du Lac in 1844. Was elected a member of the Constitutional Convention in 1846, and of the territorial legislature in 1847. Was married to Carrie F. Gilman in August, 1856.

Mr. Gibson served in the convention on the committee on banks and banking, and on several special committees, and was noted for his intelligent and zealous labors. Without being especially prominent, his work was valuable and useful, and highly appreciated by his associates.

In 1849, he was appointed receiver of public moneys for the St. Croix land district, and removed to the mouth of Willow river, now Hudson, Wisconsin, where he has ever since resided. During the great rebellion, he was appointed a paymaster, U. S. A., and assigned to the Department of the Missouri, with headquarters at St. Louis, in which state his labors were chiefly performed. In 1878, he was appointed to a position in the sixth auditor's office of the treasury for the post-office department.

Among early pioneer experiences, we note for record that Mr. Gibson landed at Sheboygan in the spring of 1844, with a stock of merchandise, and, finding no market therefor, proceeded to hunt up a location. At that time there was no road other than a trail through the Sheboygan woods. After two days' travel with a team, he reached Fond du Lac, and concluded to locate there. At that time the place contained five frame buildings, two log

houses, one of which was the hotel, kept by THOMAS GREEN, and a log blacksmith shop. The changes that thirty-four years have since made are a striking indication of the general growth of the whole west.

HON. DAVID GIDDINGS.

DAVID GIDDINGS is a son of JOSHUA GIDDINGS, of Hamilton, Essex county, Massachusetts, who was born in June, 1777, married ABIGAIL COGSWELL, of Ispwich, at the age of twenty-four, settling on a farm near that village. Mr. GIDDINGS was born at Ispwich, July 24, 1808, educated at its grammar school, and has followed the avocations of civil engineer, lumbering and farming since reaching legal age. He settled in Green Bay in 1835. June 7, 1842, he was married to DOROTHY C. TROWBRIDGE.

A brief sketch of his career is worthy of honorable record. He took a civil engineering course, and as a civil engineer, in 1835, at the age of twenty-seven years, he came to this state as United States surveyor for northern Wisconsin, with headquarters at Green Bay, then a small settlement. Here he remained three years, when he removed to Sheboygan, and in 1839, he bought the Sheboygan Falls saw mills and 500 acres of land adjoining, upon which the village of Sheboygan Falls is now located. He entered immediately into the lumber business, abandoning his former profession, and continued in the business about fifteen years. When he bought this property, there was but one family living at the Falls.

While at Green Bay, he was elected to the territorial legislature, serving two years. He was a member of the first Constitutional Convention held in this state, in 1846, being the member chosen from Sheboygan county. He served in this body on the committee on bill of rights, and in several other important positions on select committees, and was in all respects a diligent, faithful and useful member, held in high esteem by his associates.

Upon the organization of Sheboygan and Manitowoc counties, he was elected probate judge, which office he held two terms. He also held various local offices, while a resident of Sheboygan county, all of which he filled to the highest satisfaction of his fellow citizens. In 1866, he bought the JOHN B. MACY place, about three miles out of Fond du Lac city, in the town of Empire, which is now the most attractive farm, by reason of its fine buildings, and elegant surroundings, in the county. After locating here, Mr. GIDDINGS kept entirely aloof from politics and public life, attending neither caucus nor convention of any kind, until the canvass of 1878, when he was placed in nomination by the national greenback party as their candidate for congress, and received the vote of that organization.

Mr. GIDDINGS is now, at the age of 72 years, a hale and hearty man, in vigorous health, of ripe experience, and highly cultivated mind. He has witnessed the whole growth of Wisconsin from a few scattered hamlets, and has stored in his memory the entire sum of its annals. He is a citizen of whom the state may well be proud.

HON. JAMES GILMORE.

JAMES GILMORE was born in Vermont in 1786. The date of his settlement in Wisconsin is unknown. He was elected to the first Constitutional Convention from Jamestown, Grant county, but took no prominent part, as far as the record discloses. Mr. GILMORE was a member of the first state assembly in 1848. Nothing further of his personal record has come within reach of the committee. He died, as is understood, in the year 1859.

HON. LEMUEL GOODELL.

LEMUEL GOODELL was a native of Connecticut, born in 1801, and by profession a farmer. He was elected to the first Constitutional Convention from Calumet county,

and served in that body on the committee on boundaries and name of the state. While not prominent in the part taken in general proceedings, he was distinguished for strong native sense, clear judgment, and cultivated mind. In 1849, he was elected to the state senate, in which he served acceptably for two years. His personal record since has not been received. At latest date he was still living, at the ripe age of seventy-nine years.

HON. HENRY C. GOODRICH.

HENRY C. GOODRICH was born in the state of New York, in the year 1815. He settled in Portage county at an early day, and embarked in the lumbering business. He was elected to the first Constitutional Convention in 1846, and served in that body on the committee on bill of rights. Otherwise than this, his labors were not prominent. He was a gentleman of fair abilities, possessed strong practical good sense, and worthily represented his constituents. Soon after the adjournment, he is believed to have left the state, and his present whereabouts is unknown.

HON. ELIHU BERNARD GOODSELL.

The parents of Mr. GOODSELL were both of Irish descent. His father, ELIHU GOODSELL, was born in Fairfield, Connecticut. His grandfather was a soldier during the war of the revolution, and was killed at the battle of Bennington. The family removed to Vermont at a very early date. His mother, ANN ATHERTON, was born in Greenfield, Massachusetts, and also settled in Vermont when the state was little else than a frontier wilderness. ELIHU B. GOODSELL was born in Sheldon, Franklin county, Vermont, May 11, 1806; received both common school and academic education; and during a long career, has at times followed farming, teaching, mining and merchandising as a profession. Married, May 4, 1846, to ISABELLA OAKES, of Montreal, who still survives. Emigrated to the west in

April, 1832, settling first near Quincy, Illinois, then visited Dubuque, Iowa; and finally located in what is now the town of Highland, Iowa county, in 1834, where he has ever since resided.

Previous to the Constitutional Convention, Mr. GOODSELL filled the position of county commissioner of Iowa county (which then included La Fayette), and was for two years chairman of the board. He was elected a member of the convention in 1846, from the county of Iowa, and served in that body as a member of the committee on eminent domain and property of the state. The part he took in the proceedings, while not specially prominent, was thoughtful, conservative, and sagacious. After the final organization of the state, he was elected a member of the legislature in 1865, having meanwhile and since filled the positition of postmaster and numerous minor town offices.

The pioneer experiences of Mr. GOODSELL would, if written out, make a fair sized volume. He was one of the first to venture into the wilderness territory in 1834. In 1833, he accompanied LA CLAIRE, the Indian interpreter, with a government agent to Dubuque, for the purpose of removing the Indians from that locality. When the party arrived, there was neither a habitation nor a white person on the site of the present city. From thence he went to Mineral Point, and attended the first court ever held in that place — Judge DOTY presiding. The court-house was a shed made of poles, covered by shakes, all fastened together with wooden pins or fastenings, as there was not a nail in the structure. In this primitive edifice thus provided, "the judge presided with honor and decorum." The entire territory was divided into only two or three counties at this time.

From Mineral Point Mr. GOODSELL removed to Highland, built a cabin, and settled among the Winnebago Indians, who were his nearest neighbors for several years, and he always found them hospitable, kind and well-dis-

posed. In 1845, he laid out a few village lots in Highland for the convenience of the lead miners, and the place has since grown to a lively village, incorporated, with some 1,200 population, and a flourishing farming country all about it. Such have been the changes of a single generation. But how difficult to make the later comers realize its magnitude! Pioneer experience is for once only. After the brief period has passed there remains no standard to compare it with.

HON. WALLACE WILSON GRAHAM.

WALLACE WILSON GRAHAM is a son of JOHN GRAHAM and ELIZABETH A. GRAHAM, whose maiden name was ELIZABETH A. MCMAHON, and was born in Crageycroy, Ireland, September 16, 1815; emigrated to America, and first settled in Ashtabula, Ohio; removed to Milwaukee, November 25, 1838, where he has ever since resided. Married to RUTH ANN WRIGHT, daughter of DAVID and MARGARET WRIGHT, in Dublin, Ohio, August 1, 1854. Education, academic; profession, a lawyer, but seldom acting as advocate on the trial of litigated cases, his labors being principally devoted to conveyancing, examination of titles, and general office business. Was elected a member of the Constitutional Convention of 1846, in which he served as chairman of the standing committee on education, schools, and school funds. His associates were E. G. RYAN and G. M. FITZGERALD. The report of the committee, with but few amendments, was approved by a large majority, became a part of the first constitution as submitted for popular approval, and was one of the most important articles in that instrument.

In 1846, Mr. GRAHAM was elected a member of the common council of the city of Milwaukee, and, *ex officio*, member of the county board of supervisors. In 1852, he was elected to the assembly. In 1856, he was chosen city attorney. His career in Wisconsin has been long and use-

ful — not brilliant or imposing — but one that has conferred substantial benefits on the territory and state, and is in every sense honorable and creditable to himself.

HON. BENJAMIN GRANGER.

BENJAMIN GRANGER was born in Vermont in the year 1818. Emigrated at an early date to Dodge county, and was by profession a farmer. He was elected a member of the first Constitutional Convention in 1846, from the county of Dodge, and served in that body as a member of the standing committee on bill of rights. It is not known that he held any official position in the state after its organization. During his residence in Wisconsin, he was highly respected and esteemed by all who knew him. As far as can be learned, he is now living in Chicago.

HON. NEELY GRAY.

NEELY GRAY was born in Virginia in 1810; removed to Pennsylvania at a very early age, and by trade was a mill-wright. He was one of the very early settlers of Grant county, Wisconsin, and for many years was a prominent business man at Platteville. He was a member of the territorial house of representatives in 1841–2; and in 1846, was elected to the Constitutional Convention from the county of Grant, and served in that body on the committee on corporations other than banking and municipal. He was inclined, neither by habit nor training, to take much part in general debate; but in the qualities of clear judgment, strong reasoning powers and good native sense, he had no superior. In 1849, in company with many others from the mining region of Wisconsin, he went to California, leaving his family in Madison, in which place he became a permanent settler in 1852; and remained there during the balance of his life. He devoted the latter years of his life to mercantile pursuits. Mr. GRAY was of a kind hearted, generous nature, of upright and honorable

character, quiet and unassuming in manners, a staunch friend, a kind neighbor, and an honest man, possessing many warm friends. He was patriotic, and took a lively interest in the war for the maintenance of the Union, which he aided by his voice and means, and by sending his son to fight in the ranks of the country's defenders.

Mr. GRAY discharged, in a highly creditable manner, the duties of all public positions he held, but was seldom willing to accept of political preferment. He was, for a time, a member of the county board of supervisors of Dane county. He was in all respects an excellent citizen, and highly esteemed in all the relations of life. He died in Madison on the 15th day of May, 1867.

HON. WILLIAM C. GREEN.

WILLIAM C. GREEN was born in Berlin, Massachusetts, August 26, 1802; received a common school education, and chose for business the occupation of a farmer. He resided several years in the town of Wethersfield, Genesee county, New York. In 1840, he located in the town of York, Green county. He held the office of county superintendent of schools three terms, commencing with 1862. He married JOANNA PHILLIPS.

In 1846, he was elected a member of the first Constitutional Convention, and served in that body on the committee on internal improvements. He was a gentleman of sterling sense, good culture, and was highly esteemed by his associates.

HON. JOHN HACKETT.

JOHN HACKETT was a member of the Constitutional Convention of 1846, but not arriving at the capital for several days after that body was organized, his name does not appear on any of the standing committees; but he was a useful member. He had previously served as a member of the territorial legislature in the years 1840, 1841 and 1842. He was also a member of the state assembly in

1852. He has since been a prominent citizen of Beloit; has been mayor of that city, and is still a resident of that place. No record of his life and career having been furnished, further particulars cannot be given.

HON. GEORGE B. HALL.

The place of nativity of Mr. HALL is not recorded, nor his age. He was a lawyer by profession, elected to the first Constitutional Convention from Rock county, and served on the committee on boundaries and name of the state. He was a gentleman of pleasant and affable address, well read, of few words, but of deep and profound thought—in all respects a worthy and honest man. Mr. HALL, several years ago, removed to Owatonna, in Minnesota, at which place he died, April 21, 1878.

HON. JAMES H. HALL.

JAMES H. HALL was born in Vermont in 1813. He was by profession a farmer, and was elected to the first Constitutional Convention from Racine county in 1846. He served in that body on the committee on preamble, but was not otherwise distinguished. He was a gentleman of fair abilities, a good man and worthy citizen. He removed from the county some time in 1850, and settled in Walworth county, where he died on the 27th of October, 1866.

HON. SANFORD PARKER HAMMOND.

SANFORD PARKER HAMMOND'S ancestral record is quite brief. His father, JAMES HAMMOND, was born in Providence, Rhode Island, in 1769, and died in Cortland, New York, in 1822. His mother, whose maiden name was RUTH PARKER, was born in Tolland county, Connecticut. He was born in the town of Ellington, in Talbot county, September 9, 1808, enjoyed a common school education only, and was always by occupation a farmer. Married, February 11, 1838, to ELIZABETH HIERS; settled in Johnstown Center, Rock county, in 1839; removed to Magnolia

in the same county some five years later, where he has since resided until recently, when he removed to Evansville.

He was elected a member of the Constitutional Convention in 1846, from the county of Rock, and served in that body on the committee on corporations other than banking and municipal. Since the organization of the state, Mr. HAMMOND seems to have generally avoided public life, preferring the quiet of the farm to any other occupation. Like so many others recorded in this volume, he has lived practically and been an eye-witness to the whole growth and history of Wisconsin, seeking no personal distinction, while discharging every duty as a friend and neighbor with kindness and fidelity. Of such men was the pioneer stock mainly composed.

HON. DANIEL HARKIN.

DANIEL HARKIN was a native of Ireland, born in 1799. He was elected to the Constitutional Convention from Racine (Kenosha) county, in 1846, and was by occupation a farmer. He served in that body on the committee on schedule for the organization of state government, but took no active part in the general proceedings. Some time after the convention, he removed to the town of Waldrick, in Iowa county, where he resided till 1868, when he removed to Sandyville, Warren county, Iowa, at which place, according to latest information, he is still living.

HON. M. T. HAWES.

M. T. HAWES was elected to the Constitutional Convention from Walworth county, in 1846, but no record remains of him except that farming was his profession. He did not take his seat during the entire session. Of the subsequent career of Mr. HAWES little is known. He is reported as having died several years ago.

HON. JAMES P. HAYES.

The committee have been unable to obtain anything like a personal record of Mr. HAYES. He was elected at

the age of twenty-five years to the first Constitutional Convention from La Pointe county, a district at the time isolated from all others by wide stretches of wilderness country; and transit to the territorial capital either by the Sault Ste Marie or St. Croix route required scarcely less than one month. The mileage distance paid for was 600 miles. Mr. HAYES did not take his seat until twelve days after the session had commenced, and hence his name does not appear on any of the standing committees, nor does it appear that he took any prominent part in the proceedings. His social qualities were predominant — a jovial, free-hearted son of the forest, who enjoyed fun and frolic better than the severe duties of legislative work. He is chiefly remembered for these characteristics, and the many friends secured while serving as a member, all of whom preserve pleasant recollections. He probably left the territory soon after the adjournment, leaving no trace of his whereabouts that can now be found.

HON. LORENZO HAZEN.

LORENZO HAZEN was born at Copenhagen, Lewis county, New York, April 4, 1817. His ancestors were from England, but settled in this country at an early day. His great-great-grandfather, EDWARD HAZEN, was born at Rowley, Massachusetts, in 1660; his great-grandfather, BENJAMIN HAZEN, was born at the same place, in 1694; his grandfather, EDWARD HAZEN, was born at Groton, Massachusetts, in 1737; and his father, JOHN HAZEN, was born in Swansey, New Hampshire, in 1786. His mother's maiden name was POLLY BLODGETT.

Our subject, LORENZO HAZEN, received a common school education, became a mechanic, and continued to reside in Copenhagen, New York, till the fall of 1843, when he removed to Wisconsin, and settled at Oakfield, in Fond du Lac county. In June of this year, he was married to Miss MARY MOORE. In 1844, he was followed to

Wisconsin by eight brothers, who all became residents of the state — CHESTER HAZEN, now of Fond du Lac county, being one of them. He was a resident of Oakfield, when, in 1846, he was elected as one of the representatives of Fond du Lac county, to the first Constitutional Convention. In this body he took active part in shaping the organic law for state government. He was a member of the committee on municipal corporations, and was a man of good abilities, practical sense, clear understanding and a cultivated mind. He gave close attention to his duties in the convention.

Mr. HAZEN was the first town clerk of Oakfield; has served several years as justice of the peace in both the cities of Fond du Lac and Ripon. He was in the United States service as a master mechanic during the years 1863 and 1864, and was with the Union army in the south. In 1865, he removed to Medford, Steele county, Minnesota, where he was admitted to the bar, practiced the profession of the law for several years, and is now, in 1880, serving his second term as county judge of Steele county in that state.

HON. WILLIAM R. HESK.

WILLIAM R. HESK was a native of England, born in 1795, and by profession a farmer. He was elected a member of the Constitutional Convention from Waukesha county, in 1846, in which body he served on the committee on powers, duties and restrictions of the legislature, but otherwise took no important part in the proceedings. He was a gentleman of fair abilities, and quite popular with his associates. In 1860, he was elected a member of the assembly, but his further record, and what, if any, local positions he held, are unknown to us. He died at Menomonee Falls, some two years ago.

HON. FRANKLIN Z. HICKS.

FRANKLIN Z. HICKS was born in the state of New York, in the year 1818. He settled in Fairplay, Grant county, Wisconsin, at an early date, where he embarked in mining as a pursuit. He was elected a member of the first Constitutional Convention in 1846, from the county of Grant, but took no prominent part in the proceedings. His services, were, however, valuable and creditable to both himself and his constituents. He was a member of the territorial house of representatives in 1842, 1843 and 1844. Subsequent to the time of the convention, Mr. HICKS removed to Iowa county, and represented the northern district of that county in the assembly in 1861. Some years ago he settled at some point in the state of Iowa, where he still resides. He is a man of good character, and is deservedly popular wherever known.

HON. LA FAYETTE HILL.

JOHN and CYNTHIA HILL resided at Burlington, Vermont, at which place their son, LA FAYETTE HILL, was born, August 28, 1812. LA FAYETTE received a common school education, and entered upon a general business life at the age of eighteen. He removed to Rochester, New York, in 1832, and was married in that city, February 18, 1835, to Miss ELIZABETH FRENCH, daughter of AMOS H. FRENCH, Esq. In the fall of 1835, he removed to Chicago, Illinois, where he remained one year. In the fall of 1836, he came to Milwaukee; in August, 1837, he settled in what was then Kentucky City, now Dekorra, Columbia county, Wisconsin. He at once became a prominent citizen in the town, serving as a member of the board of supervisors, justice of the peace, post-master, assessor, etc.

In 1846, Mr. HILL was elected as one of the representatives from Columbia county, to the Constitutional Convention, in which body he served on the committee on the preamble. He gave close attention to the business of the

convention, was a man of sound practical sense, and exerted a good influence in shaping the organic law of the state.

Mr. HILL died July 7, 1853. His widow still survives, and is now Mrs. ELIZABETH WEIR, of Portage, Columbia county.

HON. WILLIAM HOLCOMB.

The committee have been unable, after much diligent inquiry, to obtain the family and personal record of Mr. HOLCOMB. He was elected a member of the first Constitutional Convention from St. Croix county in 1846 — his district at that time having a larger area than many American states — extending as it did from old Crawford county on the south to the 49th degree of north latitude, embracing nearly all of Minnesota east of the Mississippi river, and so much of northwest Wisconsin as lies westward of the fourth principal meridian north of the La Crosse river — a region at that time nearly all embraced under the general name of St. Croix county. Settlements had commenced about the lake as early as 1840, but the population was widely scattered — St. Anthony's Falls and Stillwater being about the only points that had achieved names. Living at the latter place, the boundaries finally adopted for Wisconsin left Mr. HOLCOMB, with many of our early settlers, outside the limits of the state. The trip to Madison at that time, under the most favorable conditions, probably consumed two weeks. Mr. HOLCOMB did not take his seat in the convention until after it had been several days in session, for which reason his name does not appear upon any of the standing committees. The chief interest of his constituency, at that time, was the securing such a boundary line in the northwest as would permit the creation of a state out of what remained of the territory, with commercial ports on Lake Superior and a navigable water front on its southeastern border. To this point he ad-

dressed his main efforts, with the result of securing a favorable report, and the adoption of a line substantially coincident with the one finally established by congress in the act of admission. A prominent purpose of the settlers on the St. Croix at that time was, the creation of a state north of a line drawn from Green Bay to Mountain Island on the Mississippi river, which, it was hoped, would embrace all that part of Michigan north of the peninsula, leave the basin of the St. Croix centrally located, and thus make room for a state fronting the whole south shore of Lake Superior; but the proposition did not meet with favor.

On the organization of the state of Minnesota, Mr. Holcomb was elected its first lieutenant governor. He also held the office of either register or receiver of the land office at Stillwater for many years. He was a gentleman of fine culture, large and varied frontier experience, and clearly forecasted the future of the two great states he assisted in creating. He was a good and noble man, ever held in high esteem by all who knew him. He died suddenly at Stillwater about the year 1868.

DR. FRANCIS HUEBSCHMANN.

Dr. Francis Huebschmann was born in Riethnordhausen, Grand Duchy of Weimar, April 19, 1817; was educated at the colleges of Erfurt and Weimar, receiving his professional education at the University of Jena, from whence he graduated March 10, 1841; was by profession a physician; he came to the United States in 1842, and settled at Milwaukee, where he continued to reside until the time of his death, which occurred on the 21st day of March, 1880; was school commissioner from 1843 to 1851; member of the first Constitutional Convention in 1846, and served on the committee on suffrage and elective franchise, and was a faithful working member. His active mental organization, affable and courteous habits and pleasing

address, gave him personal popularity among his associates, by all of whom he was highly respected. He was the especial champion of the provision in the constitution granting to foreigners equal rights with Americans. Was presidential elector for the state-at-large in 1848; member of the city council and county supervisor from 1848 to 1867; state senator in 1851, 1852 and in 1862, having been elected the latter year to fill the vacancy occasioned by the death of Hon. CHARLES QUENTIN; and was again a member of the senate in 1871 and 1872; was superintendent of Indian affairs of the north superintendency, under FRANKLIN PIERCE, from 1853 to 1857; entered the military service during the rebellion, and was mustered in as surgeon of the 26th Wisconsin volunteers, in 1862; was surgeon in charge of division at the battle of Chancellorsville; surgeon in charge of ninth army corps at the battle of Gettysburg, and with 500 wounded and nine assistants was in the hands of the rebels for three days; at the battle of Chattanooga; in charge of the corps hospital in Lookout Valley in January and February, 1864; was brigade surgeon at the front at the battles of Dallas, Kenesaw Mountain and Peach Tree Creek, and at Atlanta; was honorably discharged October 1, 1864. On returning home, was connected with the United States General Hospital, at Milwaukee, until several months after peace was declared.

Dr. HUEBSCHMANN possessed a warm heart, and during his long residence of thirty-seven years in Milwaukee, he gathered around himself a phalanx of warm friends. He was the first German physician in the city; the first president of German democratic association; the founder of the *Banner und Volksfreund;* in a word, he was a man noted for sterling honesty of purpose, sincerity, truthfulness, and an earnest desire to promote all enterprises for the public good, and especially was he zealous in the promotion of anything relating to the welfare and progress of his native countrymen — the Germans.

HON. BENJAMIN HUNKINS.

BENJAMIN HUNKINS was a native of the state of New York, born in 1810, and by profession a farmer. He was among the earliest settlers in Waukesha county, from which he was elected a member of the first Constitutional Convention in 1846. Owing to delay in reaching the capital until after the session had commenced, he was not appointed upon any standing committee, and he took but little part in debate. He was in many respects a gentleman of decided force and marked ability — strong of mind, clear in judgment, logical in conclusion, and admirably fitted to have taken, under favorable surroundings, a prominent part in public affairs. Locally he filled many important positions after the state organization; was elected a member of assembly in 1860. Some years ago, Mr. HUNKINS removed to the west, and is now living in the state of Nebraska.

HON. GEORGE HYER.

GEORGE HYER was the eldest son of FREDERICK and ELIZA HYER, and was born at Fort Covington, Franklin county, New York, July 16, 1819. His education was limited to the common schools of that day, and in 1833, he commenced his apprenticeship at the printing business, in the office of the St. Lawrence *Gazette*, published at Ogdensburg. Here he became acquainted with PRESTON KING and SILAS WRIGHT, and from them he imbibed early the political principles held by them at that time. In 1836, Mr. HYER came to Wisconsin, to engage in the surveying of government lands. He reached Milwaukee on the 4th of July in that year. At that time there was no newspaper in the then village of Milwaukee, but the *Advertiser* made its appearance on the 14th of July, 1836, and Mr. HYER frequently set type for that paper, and contributed many articles for its columns. He had much pioneer ex-

perience in the then wilderness country, and often took trips to Green Bay and other points on horse-back. He was a sworn mail agent in the spring of 1837, and is reported to have carried the first mail ever dispatched west of Milwaukee, which consisted of a few letters and papers, enclosed in an old stage coach way-bill envelope, which he deposited in his over-coat pocket. On the 8th of November, 1838, the Wisconsin *Enquirer*, the first paper at Madison, was established by J. A. NOONAN, and Mr. HYER set the first type upon that paper. In 1841, he became a publisher of the paper in connection with the late C. C. SHOLES; but retired from it in February, 1842, to unite with Mr. NOONAN in the publication of the Milwaukee *Courier*. From this paper he retired in 1843, and united with JOHN P. SHELDON in the publication of the Wisconsin *Democrat* at Madison, which was suspended in March, 1844. Mr. HYER at an early day secured a homestead of a quarter section of land near Aztalan, which he deemed his home, but often went forth to other points to engage in his profession as a printer. In 1846, he was elected as one of the representatives of the county of Jefferson, in the first Constitutional Convention. In that body he was an able, cautious and an influential member. He served on the committee on the revision and adjustment of the articles of the constitution, a position he was admirably qualified to fill. In October, 1847, Mr. HYER became connected with the Rock River *Pilot*, established at Watertown, but remained with it only till the following January; and soon after became connected with the Rock River *Times* in the same place, a paper that was only published a few months. About this time he was married to Miss CATHERINE KEYES, daughter of Capt. JOSEPH KEYES, who died in 1863. He was married a second time, 1867, to Miss R. H. FERNANDEZ, at Madison.

In July, 1848, Mr. HYER issued the first number of the Waukesha *Democrat*, which he conducted for about three

years. In the fall of 1850, he was elected from Waukesha county to a seat in the state senate, in which body he served with credit to himself and usefulness to his district and to the state. In December, 1851, in connection with DANIEL SHAW, Mr. HYER became conductor of the *Commercial Advertiser*, in Milwaukee. He retired from the position in 1854, and the paper was changed into the *News*. In July, 1855, Mr. HYER was appointed, by President BUCHANAN, register of the land office at Superior, which position he relinquished in the fall of 1856, and once more returned to his quiet farm-home on Rock River. He next became connected with newspaper life in 1859, as one of the conductors of the Madison *Patriot*. He represented the capital district in the assembly in 1863. In consequence of failing health, in the spring of 1864, he again relinquished his favorite calling, and took an overland journey to the Pacific, returning in 1865, with vastly improved health and strength. In October, 1865, in connection with D. W. FERNANDEZ, he established the Madison *Democrat*, with which paper he remained till February, 1867, when he purchased a farm in Illinois, near Beloit. Here he remained but a short time, when, in October, 1867, he became connected with the Oshkosh *Times*, and with that paper he remained till his death, which occurred on the 20th of April, 1872, after a long and painful illness. We have thus traced to the end, the prominent points in the life of this old pioneer to the state, and a man who possessed many superior qualities of head and heart. His career was somewhat varied, being the result of feeble health. He was wedded to his chosen profession, the art of printing, and took a deep interest in everything pertaining to the Art Preservative. He was a general favorite with printers, and was one of the most prominent and active members of the State Editorial Association. His remains were deposited in Forest Hill cemetery, Madison, under the auspices of the Masonic fraternity, with which

order he was an honored and leading member. He was an able man, and an honor to his race.

HON. NATHANIEL F. HYER.

The ancestral record of Mr. HYER, as far as known, is as follows: His grandfather, WALTER HYER, was a native of Connecticut, where his father, DAVID ROSCOE HYER, was also born, and died at Antwerp, New York, in 1824. He married SALLY SMITH, of Putney, Vermont. The family removed to Ogdensburg, New York, and subsequently returned to Vermont, where his son, NATHANIEL, was born, in the town of Arlington, Bennington county, March 2, 1807. He received an academic education, learned land surveying, but chose the law as a profession, and was admitted to the bar as an attorney at law.

He located in Milwaukee, Wisconsin, May 5, 1836, where he was soon employed in surveys, laying out roads, as a magistrate, and other labors incident to new settlements. December 2, 1840, he married FRANCES E. CLAPP, daughter of CALEB and NANCY CLAPP, recent emigrants from Vermont. The after career and wanderings of Mr. HYER are thus stated by himself:

It was in the year 1836, that NATHANIEL FISHER HYER left a flourishing law business at Massena, New York, and came to the then wilds of Wisconsin. He was literally a pioneer. Perceiving the rich undeveloped resources of the country, he induced many to emigrate to "the land of promise." On account of ill-health, he was unable to put his hand to the plow, which perhaps gave leisure to discern some peculiar characteristics of the country which those who must draw sustenance for themselves and families from the virgin soil had not time for. An extensive correspondence enabled him to give knowledge of this Eldorado to numerous friends and relatives, who, emigrating, have enriched themselves, many of whom now, more than forty years afterwards, tender him thanks for giving them the oppor-

tunity; and the present prosperity of its cities, villages and country homesteads, has proven that he was correct in his estimation of the hidden resources of Wisconsin.

Mr. HYER has had to contend through life, thus far, with physical disease. Unable to be confined in a lawyer's office as constantly as that profession demanded, he resorted to the more active outdoor employment of surveying, in which he had become a proficient when quite young. His first sojourn in the state was in Milwaukee, which, at that early day, was a city in embryo. Its site, so peculiarly favorable to commerce, had been noted; and the good things hoped for, when the extensive farming country by which it is surrounded should be opened, was being made apparent to the rapidly arriving emigrants. At that time, nearly the first thought of settlers of a new country was the establishment of the peculiar religious sect to which they belonged. Among the first movements of organized effort was a call for a meeting of the whole for this purpose, over which Deacon S. HINMAN was called to preside, and N. F. HYER acted as secretary. During his stay in Milwaukee, he was chosen probate judge. The restless spirit of adventure, however, which had caused him to leave his eastern home, could not be restrained within the narrow limits of the place of his first landing in Wisconsin; albeit, with prophetic eye, he discerned its capabilities to become a great commercial city. His nephew, JAMES BRAYTON, accompanied him upon an exploring expedition. They followed an Indian trail west fifty miles, at which point he was induced to stop, on account of some curious ancient remains of which he had heard. These appeared to him to have been the work of the ancient Aztecs — long a forgotten race. The place seemed suitable for the site of a town, which was then and there commenced, and was by him named Aztalan. He committed the result of his investigation of these curious remains to writing, and it was published in the public prints of the

day quite universally, abstracts of which were afterwards copied into *Silliman's Journal.* Aztalan soon assumed the appearance of a hamlet, and simultaneously, the surrounding country was dotted with the rude homes of emigrants, preparatory to the rich homesteads which now beautify the land.

In 1840, he married FRANCES E. CLAPP, who, with her widowed mother, brothers and sisters, had emigrated from Vermont, his native state. He built a frame house at Aztalan, which was among the first dwellings that had advanced beyond the unhewn logs. After a short residence at Madison, he returned to Jefferson county; built one of the first houses erected at Lake Mills. Here he was unable long to remain, on account of the malady with which he was afflicted demanding a more genial climate. He went to St. Louis, Missouri, in 1843, where he served in the surveyor general's office two years; returned to Wisconsin, opened a farm at Dunkirk, Dane county, building there a residence, and establishing a post-office. From this place he was chosen to represent Dane county in the Constitutional Convention, in which he served as a member of the committee on internal improvements. In 1847, he was appointed to complete the location of university lands, which he accomplished. But again the chill winds of Wisconsin winters urged him south. He returned to St. Louis in 1849. The following year he opened a surveyor's office, and, holding the office of county surveyor, carried on an extensive business for seven years. His health demanding a yet more genial clime, in 1856, he removed to San Antonio, Texas; pursuing his profession of surveying. Sickness, very severe, prostrated him; for more than six months he was entirely unable to do business. His attending physician recommended sea bathing. In 1857, he went to Pensacola, Florida, receiving great benefit from the sea bath. On partial recovery, he was employed as civil engineer in making surveys of the swamp lands in Louis-

iana, after which he became a permanent resident of that state, doing business during many years in New Orleans, sometimes residing there, and sometimes in the adjacent parish of Tangipahoe.

The home of a southerner is not so local as in a colder clime; Mr. HYER had adopted the fashion of the country, and with his family was domesticated in the country, sixty miles from New Orleans, a portion of the year. When the war broke out, and New Orleans was taken from the rebels by the federal army, and the railroad destroyed, which had been his weekly conveyance to and from his country home, he found himself outside the lines of the federal army, and in a very tight place. To get to the city was impossible, and equally so to keep provided with food and raiment. It was only the friendly care of well-known personal friends among the rebel residents of the country that prevented his being murdered, so mad with war, and drunk with blood were those rebel soldiers. His knowledge of the country rendered him a dangerous person should he hold communication with the federal officers, and his stubborn patriotism was too apparent to hope for his joining the enemies of the Union. The hair-breadth escapes of himself and family, and the difficulties encountered in getting to New Orleans were of months' duration. A detail of these would border on the romantic. Necessarily this forced movement was attended with loss of property. After many hair-breadth escapes, he arrived in New Orleans with his family in October, 1862. In the absence of the regular official, he was by him appointed assistant engineer and placed in charge of the offices in the city. He remained attached to that department until the close of the war, after which he was appointed a collector of United States direct land tax, and after this a register of voters, which position he retained during two terms of registration under United States laws. Afterwards, he was engaged in the land office; subsequently in the auditor's office. His failing

health induced him to try permanent residence in the country at Amite, seventy-five miles north of New Orleans. He was appointed parish surveyor, also parish treasurer and justice of the peace. But failing health not permitting him to fulfill the duties of these offices, he was induced to return to Wisconsin for a time. In May, 1877, he, with his family, reached Madison, Wisconsin. The changes which the long years of his absence had wrought in that beautiful city, while it confirmed the truth of his early impressions of what might be, had renewed the home feeling of thirty years before. The same applied to other cities and towns which he visited.

There is an ancient proverb extant in Louisiana which affirms that a residence of more than one year within her flowery borders compels those who seek home elsewhere to return, or to drag out the remainder of earthly life darkened with homesickness. The proverb may possibly become true in his case.

At latest accounts, Mr. HYER was still living at Fort Atkinson, Jefferson county.

HON. ISRAEL INMAN.

ISRAEL INMAN was a Pennsylvanian, born in 1815, a farmer by occupation, and elected to the Constitutional Convention of 1846, from Rock county. He served in that body on the committee on the powers, duties and restrictions of the legislature. His after career is not known. He died several years ago.

HON. THOMAS JAMES.

The ancestry of THOMAS JAMES on both sides of both father and mother, was of Virginia origin, but the family at a very early day emigrated to Kentucky, and by subsequent marriages became intimately related to the BUCKNER and GARNET families of that state. He was born in Barren county, August 30, 1815, received a common school

education, was by general profession a farmer, but much of his life has been passed in a judicial capacity — he having held the office of justice of the peace, with three years' exception, since 1843 — or for a period of thirty-three years. He located in Shullsburg in 1834, and has ever since resided there. June 3, 1839, he was married to CATHERINE MEADE, of Dubuque, Iowa.

In 1846, he was elected a member of the Constitutional Convention from the county of Iowa, and served in that body on the committee on the organization and officers of counties and towns, and their powers and duties. His labors, while not espcially prominent, were both useful and honorable, and in all senses creditable to himself and constituents. Since the state organization, except the position of justice, he has held no other office.

Among pioneer experiences, we record a single incident, as showing the somewhat peculiar law practice of the period, and magnanimity of rivals, who did not long allow a personal difficulty to sever the ties of friendship. A short time previous to the election of members to the convention, in the trial of a suit, his opponent for the candidacy, as an attorney, took occasion to indulge in a continuous tirade of abuse against the court, by gross insinuations of misconduct, nominally directed at the opposing counsel, but really to excite public prejudice for his own political benefit. At the close of the trial, this was continued, when, forbearance having ceased to be a virtue, his honor, striking out from the shoulder, planted a blow that knocked the traducer down. No weapons were drawn, as was then much the practice, and for a while the matter rested. Shortly after, the canvass came on, when Mr. JAMES proposed that they stump the county together, so that, as he was not given to speaking, he might "throw in an occasional broadside." "No," was the reply, "not if you throw in such broadsides as you did in your office the other day." After this the offender continued to practice

in court with uniform courtesy and good nature, and whenever he saw any other lawyer venturing upon an offensive line of conduct he warned him that the court, when too hard pushed, might render hard handed decisions in no way conducive to personal comfort. It is worthy of note, and highly creditable to the abilities of the justice, that in so long a career of judicial administration, covering all classes of cases, in every appeal taken to either circuit or supreme court, his decisions were in all cases sustained. Few justices, indeed, can boast of such a record.

HON. EDWARD H. JANSSEN.

EDWARD H. JANSSEN was a native of Germany, born in 1816, elected to the first Constitutional Convention from Mequon, Washington county, and by profession a farmer. He was among the earliest settlers of the county. He served in the convention of 1846 on the committee on eminent domain and property of the state. In 1852, he was elected state treasurer, and, through the misconduct of his assistant, became involved in much trouble. Having known him intimately for many years, we desire to record the conviction that he was personally a man of strict honesty, and most upright intentions — a gentleman of unusual intelligence, kind and noble impulses, and honorable ambition and aims. Owing to long protracted sickness in his family, and other causes, he was unable to attend in person to the duties of the office, the affairs of which fell into confusion, and were the cause of great popular indignation. He died a few years since, greatly loved and respected by all his neighbors and friends.

HON. THOMAS JENKINS.

The ancestral record of Mr. JENKINS is unknown, beyond that of his parents, who were born in North Carolina — the father being of English and the mother of Irish descent. He was born in South Carolina in March, 1801; enjoyed a

common school education, and was a farmer by general occupation. After a residence of some years in the states of Alabama and Missouri, he settled in Dodgeville, in the territory of what is now Wisconsin, in 1827. He was married to MINERVA YOUNG, in 1833. Previous to his election as a member of the Constitutional Convention in 1846, he had been twice elected to the territorial legislature. In 1832, he served in the Black Hawk war under General HENRY DODGE, and was wounded in the battle of Pecatonica. In 1849, the family removed to California, remaining there until 1864, when, accompanied by two sons, he removed to New Mexico. His wife died in 1850, in California. He died in 1866.

As a member of the convention he served on the committee on the powers, duties and restrictions of the legislature. The part he took in the proceedings was not prominent; but he was a man of strong practical sense, solid intellectual acquirements, sterling honesty, and in all senses a safe and valuable representative, who honored every position he was called upon to fill.

HON. STODDARD JUDD.

STODDARD JUDD was born in the town of Sharon, in the state of Connecticut, May 18, 1797. He graduated at the Albany Medical College, and received a diploma from the medical society of Dutchess county, New York, in 1819. He practiced his profession in that county until 1841, when he came to Wisconsin, and was appointed by President HARRISON to the office of receiver of the Green Bay land district, in which capacity he served, and resided in Green Bay until 1845.

In the years 1829, 1835 and 1836, he was a member of the legislature of the state of New York. He was a member, in 1846 and 1847–8, of the first and second Constitutional Conventions of Wisconsin. He served in the first as chairman of the committee on finance, taxation and

public debt, and in the second on several select committees, covering numerous matters of importance, and took an active part in the proceedings of both bodies. He also represented, in 1860, the assembly district, and in 1866 and 1867 the senatorial district, in which his residence was included. He was one of the pioneers in the settlement of Fox Lake, moving there from Green Bay in 1845, continuing to reside there until his decease, March 2, 1873.

Dr. JUDD took a prominent part in the organization of the railroad system of the state, and was one of the first directors, and for several years president, of the La Crosse and Milwaukee Railroad Company. He was during many years an active member of the order of Odd Fellows. In 1859, he became Grand Master of the Grand Lodge of the state. In 1863, he was elected Grand Representative of the Grand Lodge of the state for two years, and in 1869, Grand Representative for two years of the Wisconsin Grand Encampment in the Grand Lodge of the United States.

Dr. JUDD was married, January 9, 1822, to ELIZABETH EMUGH, of Dutchess county, New York. His wife, one son and four daughters survive him.

Dr. JUDD was a man of decided ability, and possessed great energy of character. He was prominent in both Constitutional Conventions as a speaker, taking a leading part in many of the debates in those bodies. In the framing of the organic law of the state, he performed his full share of the work, and was in all respects a useful member of the convention. He was ever a valued member of society, honored and respected by the people who knew him.

HON. CHAUNCEY KELLOGG.

KELMOT KELLOGG, the father of the subject of this sketch, was a soldier in the revolutionary war. CHAUNCEY KELLOGG was born in Goshen, Litchfield county, Connecticut, April 23, 1790. He received a common school edu-

cation, and became a carpenter and joiner, which trade he followed until his settlement in Wisconsin in 1837, since which time he has devoted his attention to agricultural pursuits. He was married in Goshen, Connecticut, September 23, 1812, to HELEN HOWE, with whom he lived a little over sixty-seven years. She died, February 1, 1880. In 1814, he settled in Smithfield, Pennsylvania, where he cast his first presidential vote for JAMES MONROE in 1816. In 1823, he removed to Cortlandville, New York; and in 1837, settled in Racine county, Wisconsin. In 1853, he removed to Winnebago county, and since that time has divided his time between Appleton, Fort Atkinson and Neenah. He writes, that he "was captain in Pennsylvania militia; commissioner of deeds and notary public in New York; and was coroner and justice of the peace in Racine county; was once nominated by the democrats for mayor of Appleton, but got *badly whipped!*"

In 1846, he was elected a member of the first Constitutional Convention from the county of Racine, and served in that body on the committee on finance, taxation and public debt. Otherwise, his services were not specially prominent. He was comparatively an old man (56) at the time the convention met, and he still survives, in the ninety-first year of his age. In a career of usefulness, in all relations of life, now verging towards a century, Mr. KELLOGG has ever enjoyed the respect and esteem of all who knew him.

In a note bearing date April 23, 1880, Mr. KELLOGG gives some particulars in regard to his business operations, and then refers to his first settlement in Wisconsin in so pleasant a manner that we give it in his own words. He writes: "I first came to Wisconsin in the spring of 1836; spent the summer, and voted for CHARLES DURKEE for delegate to congress, at the first election held in the territory. In 1837, moved my family in emigrant wagons, that being the common way of moving then; the same spring

my father and mother, my wife's father and mother, two of my brothers, and two of my wife's brothers, with their families, came to Wisconsin, and most all of them settled near me, about ten miles from Racine, at a place that was called Kellogg's Corners, and afterwards was named Sylvania. Seventeen of this company were members of the Methodist Episcopal church. I brought with me twelve children, all of whom lived to years of maturity, and became members of the church of their fathers. Soon after, my brother-in-law, Rev. JULIUS FIELD, with his family, moved to the same place; he was one of the first missionaries in the territory. We soon built one of the first, if not *the first finished* church in Wisconsin. It was dedicated in 1840. I am to-day (April 23, 1880) ninety years old. I have voted for every democratic candidate for president since 1816; hope to cast a vote for one more successful democratic candidate. I am so blind I cannot read a word, and so deaf I cannot hear but very little; am living with my daughter, Mrs. LADD; she does my reading and writing for me. I expect soon to join the half of my family that have already passed to the other shore."

HON. CHARLES J. KERN.

CHARLES J. KERN was a native of Prussia, born in 1805, and by profession a farmer. He was elected to the first Constitutional Convention from Washington county, and served in that body on the committee on corporations other than banking and municipal. He was a gentleman of ability, and much respected by his associates. In 1859, he was a member of the state assembly. He died many years ago; the date is unknown.

HON. ASA KINNEY.

The parents of Mr. KINNEY were ABEL KINNEY and FREELOVE KINNEY, of Homer, Cortland county, New York, their place of nativity being New London, Connecti-

cut. They were among the early settlers of Cortland county, and the father was a man of prominence and influence. His grandparents were of revolutionary stock, having served their country in the struggle for liberty.

ASA KINNEY was the fourth son of the family, and was born at Homer, Cortland county, New York, May 21, 1810. He received a good common school education, deriving great benefit from a town library, and from a debating club, in which he was an active member. He resided in Homer, New York, in Preston City, Connecticut, and in Cattaraugus county, New York, previous to his coming west. He landed in Milwaukee, July 3, 1836, and settled at Oak Creek, on the fifth of the same month. Here he engaged in the occupation of farming. Before coming west, he had held several town offices in New York, and had been promoted to be lieutenant-colonel of a regiment in that state. He was appointed by Gov. DODGE, one of the first justices of the peace in Milwaukee county. He was a member of the last territorial legislature, and held several town offices in Oak Creek. He was elected as one of the representatives from Milwaukee county to the Constitutional Convention of 1846, and served on the committee on the organization and officers of counties and towns, and their powers and duties. He was a hard working member, and performed a large amount of labor in this body. He was not noted for speech making, but for good solid sense and great vigilance in the discharge of his duties. He served in the state senate in 1848 and 1849. In 1852, he went to California, and was a member of the legislature of that state in 1853 and 1854. He came within one vote of being elected speaker of the assembly.

Returning to Wisconsin, Mr. KINNEY settled in Brooklyn, Green Lake county. He was sergeant-at-arms of the state senate in 1859 and 1860. He then located at Ripon, and was a member of the council in that city in 1867, and was two years street commissioner in the same city. Some

ten or twelve years ago, he settled in Russell City, Kansas, where he has served as city clerk, police judge, clerk of the district court, and eight years justice of the peace, and is still acting in that capacity. He was appointed in 1858, by Gov. RANDALL, colonel of the militia of Wisconsin.

Mr. KINNEY, in 1861, enlisted as a private in the Ripon Rifles, and was mustered into the fourth regiment of infantry, commanded by Colonel H. E. PAINE. He was appointed quartermaster's sergeant. In December, he was discharged on account of ill-health. He was afterwards commissioned as first lieutenant and quartermaster in the first Wisconsin cavalry, and joined the regiment at Eastport, Mississippi, and remained with it till the close of the war. After the war, Mr. KINNEY acted as a land and insurance agent for several years. For some time he was a director and agent of the Madison Mutual Insurance Company.

Mr. KINNEY has been married four times. September 15, 1830, to Miss DIANA SPICER, of Preston City, Connecticut; she died May 2, 1834. January 15, 1835, to Miss LUCRETIA GRINNELL, of Rutledge, New York; she died September 21, 1836, at Oak Creek. March 15, 1837, to Miss CELIA ANN RAWSON, of Oak Creek. November 15, 1878, to Mrs. R. C. WILSON, of Albia, Iowa.

Thus, it is shown that the life of Mr. KINNEY has been one of unusual activity, mixed with a wonderful variety of experiences. He has held a large number of civil offices; served in the war; crossed the plains to the land of gold; has traveled through the Central American states and Mexico. In a letter, he says: "It would be hardly possible for me to give the experience in pioneer life since the Constitutional Convention." From the record given above, the reader will imagine the experience has been very great and full of interest. He is a man of pleasing address, fluent in conversation, and intelligent on an immense variety of subjects. At the age of seventy, he is in the enjoy-

ment of good health, with a fair prospect of having yet in store several years of usefulness to the world.

HON. JOSEPH KINNIE, JR.

The ancestors of Mr. KINNIE were from Scotland, and came to this country at an early day in its history, and settled in Massachusetts. JOSEPH KINNIE, Jr., was born in Mount Holly, Rutland county, Vermont, January 29, 1799. He received a common school education, and adopted farming as an occupation. He resided in his native county till 1817; in Genesee county, New York, till 1821; in Cattaraugus county, same state, till 1833; in Cuyahoga county, Ohio, till 1838, when he came to Wisconsin, and settled in the county of Racine; remained there till 1842, when he removed to Rock county; and from that county, in 1864, he removed to Pepin county; in 1874, he went to LeRoy, Boone county, Illinois, at which place he died May 5, 1875. He was married at China, Genesee county, New York, May 24, 1820, to ROXANIA WILSON.

Mr. KINNIE was justice of the peace and post-master five years at Machia, Cattaraugus county, New York; justice of the peace seventeen consecutive years in Avon, Rock county, Wisconsin; and was a member of the assembly from that county in 1851.

In 1846, Mr. KINNIE was elected as one of the representatives from the county of Rock, in the Constitutional Convention. He did not take his seat till the twenty-second day of the session, which prevented his assignment to any of the standing committees. He was a man of fair talent, and was generally respected by his associates.

HON. FREDERICK S. LOVELL.

FREDERICK S. LOVELL was born at Rockingham, Vermont, November 1, 1815. He received early and good educational advantages, and graduated from Geneva College in August, 1835. Soon after this, he entered upon the

study of the law, in the office with ex-Gov. HUBBARD, of New Hampshire, and afterwards with Judge S. K. STRONG, of New York. On being admitted to the bar, he, in September, 1837, settled in Kenosha (then Southport), Wisconsin, which place was his home the remainder of his life. He at once entered the practice of the law, and, being a man of superior mind, very soon became prominent as a lawyer.

Exhibiting fine talent, he was soon called to public life. In 1847, we find him a leading member of the territorial council, in which position he served three sessions with ability, and until the state government was inaugurated. He was a leading member from Racine county (then embracing Kenosha), in both the Constitutional Conventions — the one in 1846, the other in 1847. In the first convention he served as chairman of the committee on executive, legislative, and administrative provisions; and in the second, chairman of committee on amendments. He was an able and influential member of the conventions; a good, but not a frequent speaker. In 1857, Mr. LOVELL was a member of the assembly, and was elected speaker *pro tem.;* and in 1858, he was again returned to that body, and was chosen as its speaker. He discharged the duties of this position with signal ability, and to the complete satisfaction of the assembly. Colonel LOVELL was appointed, in 1857, in connection with Hon. DAVID TAYLOR, now supreme judge, and Hon. S. J. TODD, of Beloit, as revisers of the statutes. The result of the labors of this commission, was the volume of revised statutes of 1858, which has been superseded by the revised statutes of 1878. The superintendence of the printing of this volume of statutes was confided to Col. LOVELL. In all the high civil positions held by him, he discharged the duties with ability, honesty and faithfulness to the interests of the state.

In August, 1862, Mr. LOVELL was commissioned as lieutenant-colonel of the thirty-third regiment of Wisconsin

infantry, in which position he served until January, 1865, when he was made colonel of the forty-sixth regiment, and was mustered out September 27th, of that year. The thirty-third regiment left their camp in this state on the 12th of November, 1862, and reported for service at Cairo. It performed excellent service, and Col. J. B. MOORE, being placed in command of a brigade, Lieut. Col. LOVELL was in command of the regiment most of the time. He was a gallant officer, highly respected by both superiors and subordinates. His military career was a useful and successful one. He was a thorough disciplinarian, and a noble patriot and gallant soldier.

At the close of the war, Col. LOVELL returned to Kenosha, where he had since resided, and we believe had held no public office. In early life, Col. LOVELL was a democrat; but in the general breaking up of parties in 1854, he united his political fortunes with the republican party, and for several years was an active working member in it. Socially, Col. LOVELL was agreeable and pleasant; fluent in conversation, and clear in expressing his ideas on all subjects. He was also a good speaker in public places — convincing and strong in argument. His health had been failing for some years. At the reunion of the members of the Constitutional Conventions in February, 1878, he was reported too feeble to be present. He died May 14, 1878, in the sixty-third year of his age. We cannot do better, in closing this brief notice of this distinguished old pioneer to Wisconsin, than to clip the last paragraph of a notice from the Kenosha *Union*, a paper printed at the home of Col. LOVELL. The *Union* said:

"Our deceased friend had many virtues — some faults — as who has not? He was generous to a fault, and lived and toiled for others instead of himself. He came to Kenosha when a young man, and spent all his life here. He came poor, and leaves the world poor. No human being can be found to say that Col. LOVELL ever wronged him. As these lines are read, there will be many who will remember with sympathy the many acts of kindness of the departed, his social qualities, and, above all, his brilliant intellect."

HON. WILLIAM J. MADDEN.

The place of nativity and date of birth of WILLIAM J. MADDEN are not of record. He was elected to the first Constitutional Convention from Elk Grove, Iowa county, in 1846, but took no prominent part in the proceedings, although recognized by his associates as among the clearest minded and most valuable of the members. He was by profession a farmer. Of his after career, no information has reached the committee, but it is understood that he died several years ago.

HON. JAMES MAGONE.

No available information has been within reach, as to the life and career of Mr. MAGONE. He was elected to the Constitutional Convention of 1846, from Milwaukee county, where he recorded his nativity as from New York, and his profession that of ship builder. He was, at the time, aged thirty-eight years. Not reaching the capital until some days after the session had begun, his name does not appear on any of the standing committees. The journal, however, shows the introduction of many important measures, several of quite a novel nature, in his name. After the close of the session, no trace of him remains, other than that he enlisted as a soldier during the Mexican war, and soon after died, probably about 1847.

HON. JOHN H. MANAHAN.

The parents of the subject of this sketch, were both from Ireland. The father, PATRICK MANAHAN, was born at Athlone, Ireland, and the mother in Connaught. They settled in New York city, in 1801. THOMAS ADDIS EMMETT and D. MCNEVIN, were passengers on the same vessel with Mr. and Mrs. MANAHAN, when they came to America. The father was a patriot, and fought against the British at the battle of Killala, in Ireland, in 1798. He also fought at Black Rock, near Buffalo, in 1812, in the Irish Greens.

He died in Albany, in 1835. JOHN H. MANAHAN was born in New York city, March 29, 1811. He received a common school education, and became a tanner and currier; his general occupation in life has been that of a merchant. He was married in Newark, New Jersey, in May, 1835, to ELIZABETH LOWREY. Previous to coming to Wisconsin, he resided in New York, and Newark, New Jersey. In Wisconsin, he resided at Prairie du Chien and Beaver Dam; and at the present time (1880), he resides at 244 East 111th street, Harlem, New York.

Mr. MANAHAN came to Wisconsin in 1837, and settled at Prairie du Chien; removed to Beaver Dam in 1843 or 1844. In 1841, he was elected commissioner for Crawford county. Was a member of the territorial house of representatives, in 1842, under Gov. DOTY, known as the bogus session; was appointed postmaster at Beaver Dam, in 1844, and resigned in 1850. In 1846, he was elected as a member of the first Constitutional Convention from the county of Dodge, and served in that body on the committee on suffrage and the elective franchise. He was distinguished by a modest and retiring demeanor, high cultivation, and keen logical and analytical powers of mind; and was, in all senses, a valuable and useful member.

In relation to the military record of Mr. MANAHAN, that gentleman writes that he has "none, except aiding Colonel MCKINNEY, second dragoons, for a few days, driving Indians out of Dodge county, under orders from Gov. DODGE, dated January 7, 1848, the authority for which I hold in my possession." In a note to the writer, dated April, 1880, Mr. MANAHAN gives an incident of life in Wisconsin, thus: "In going from Madison to Beaver Dam, I traveled thirty-five miles between settlements; crossed Sun Prairie, by compass, on trail; built the first frame house in Beaver Dam; opened the first store and post office in that place; organized the first school district; and, I think, I drove the first span of horses in the county of Dodge."

HON. MOSES MEEKER.

Moses Meeker was a native of New Jersey, born in 1790. He received an academic education in his native state; and, in 1817, settled in Cincinnati, Ohio, where he engaged in the manufacture of white lead. In 1822, he had occasion to visit St. Louis, and there received information that an expedition was being fitted up, to go to the lead mines on Fever river, where Galena is now located. He became interested in this expedition, and closed out his business in Cincinnati, that he might join it in person. At that time the journey from Cincinnati to the Indian village (now Galena) was long, trying and dangerous, as Indians were numerous all along the route, and the rivers were without bridges; but that place was reached by Mr. Meeker and Col. Cole on the 12th of November, 1822. Then there were only about thirty persons at that point. After a careful exploration of the region, Mr. Meeker determined to engage in mining operations. He then returned to Cincinnati on horse back, and entered into a correspondence with John C. Calhoun, then secretary of war, giving him his opinion of the lead mines, and made suggestions as to the proper method of working them. This correspondence, being submitted to President Monroe, resulted in the issuance of an order, permitting Mr. Meeker to build furnaces, make other improvements, and operate the mines. Mr. Meeker, still in Cincinnati, purchased a substantial keel boat, enlisted several families in the city (forty-three persons in all), and on the 5th of April, 1823, started for the lead regions by way of the Ohio and Mississippi rivers, and arrived at Galena, June 1, 1823. He at once commenced the building of furnaces, and in August of that year, a census was taken, showing the population of Galena to be seventy-four whites and five hundred Indians. The furnaces were completed in the spring of 1824, and the product of smelted ore during the

first year was four hundred and twenty-five thousand pounds. His efforts were attended with remarkable success until the breaking out of the Black Hawk war, in 1832, when the works were temporarily suspended, and Mr. MEEKER took an active part in the war against the Indians, holding the position of captain during the struggle. After the close of the war, he removed to Iowa county, in Wisconsin, and, in 1837, began the erection of a four blast furnace on the Blue river. This was one of the first smelting furnaces in the territory.

In 1842, Mr. MEEKER was elected to the territorial house of representatives, and was re-elected in 1843. In 1846, he was elected to the first Constitutional Convention from the county of Iowa, and served in that body as chairman of the committee on internal improvements. He did not occupy a prominent position as a speaker in general debate, but the part he took in the preparation of the article referred to the committee over which he presided, limiting the power of the legislature to plunge the state into excessive ventures and doubtful public works, of itself alone would entitle him to distinction as a public benefactor, even if he had lacked, which he did not, in great and honorable personal merits. A generation has lived to witness the fruits of a wise precaution, and owes its freedom from public debt to the forecast of a body of men, earnest and zealous to protect the future, of whom Mr. MEEKER was an active and efficient worker.

In his early life in Cincinnati, Mr. MEEKER had given attention to the study of medicine, and had attended medical lectures, though he had never practiced the profession. While he resided at Galena, the scarcity of physicians at that place almost forced him into practice, and for a number of years his services in that line were extensive, and he attained the reputation of being a skillful and successful physician. He continued his residence in Iowa county until 1854, when he removed from Mineral Point to his

farm at Meeker's Grove, in La Fayette county, and withdrew from active life. In 1865, he removed to Shullsburg, at which place he died very suddenly of paralysis, on the 7th day of July, 1865. His remains were taken to Galena for interment.

Dr. MEEKER was twice married: first, in 1818, to Miss MARY R. HENRY, who died in 1829; and again in 1837, in Cincinnati, to Miss ELIZA P. SHACKELTON, who still survives. He had a large family of children. His sons: WARNER resides in California; J. D. lives in Nebraska; JOHN A. is in Richland county; and E. J. is a merchant in Kansas. His daughters: EMMA married Dr. RUMBOLD, of St. Louis, and died November 5, 1863; LIDA R. married GEORGE W. SNOW, of Milton Junction; and CLARA J. is the wife of Captain NICHOLAS SMITH, editor of the Janesville Daily *Gazette*.

Dr. MEEKER was a man of high moral and religious character; his benevolence and liberality were only bounded by his means; he was patriotic, courageous and energetic; he was noted for his hospitality, and his house was ever a welcome resort for the stranger and the homeless; and in all respects he lived an amiable and blameless life. He took a lively interest in the State Historical Society, and was one of its corresponding members in 1855. He was a prominent member of the Masonic fraternity, and for several years was an officer in the grand lodge in the state. It will thus be seen that the life of Dr. MEEKER has been one of great usefulness to the new state, where he became a conspicuous figure in the early days of its settlement. He achieved high distinction as a patriot, a physician and a citizen; and was universally esteemed and respected by all who knew him.

HON. DAVID L. MILLS.

The ancestral record of Mr. MILLS, as far as furnished, is as follows: Father, DAVID MILLS, born in Washington

county, New York, May 11, 1780; died in 1853. Mother, maiden name, Lucy Lewis, born May 25, 1787; married October 21, 1804 — both living in Oneida county to the end of their lives.

David L. Mills was born in the town of Grafton, Rensselaer county, March 7, 1815; enjoyed a common school education; profession, attorney-at-law; married to Lucinda S. Parker, of Vienna, Oneida county, May 21, 1852; settled in Fulton, Rock county, Wisconsin, June 1, 1845, in which place and Evansville they have ever since resided.

Mr. Mills was elected to the Constitutional Convention from Fulton, Rock county, in 1846. He served on the committee on the organization and officers of counties and towns, and their powers and duties. He took quite a prominent part in all proceedings. After the organization of the state, he was elected to fill many important positions in both town and county, in all of which the duties were discharged with credit and conscientious fidelity. He was one of the directors of the old Milwaukee and Mississippi Railroad Company, at the commencement of its work, and rode on the first train that ever made a trip in Wisconsin — from Milwaukee to Topliffs — now Elm Grove. He has also been connected with numerous other enterprises for the development of the country; and, after a long and varied career, is still in vigorous health and strength, having been a witness of almost the entire growth of both territory and state. Like all pioneer settlers, he retains an abundant stock of reminiscences and incidents of early times, which, as they throw light upon the time of this occurrence, ought to be written out for preservation. It is of such material that the real history of settlement is to be written. Mere facts and statistics give but little insight into individual life as witnessed in pioneer experience.

HON. JAMES M. MOORE.

JAMES M. MOORE was a native of the state of New York, born in 1815, and by profession a farmer. He was elected to the Constitutional Convention, in 1846, from Brookfield, Waukesha county, but took no important part in the proceedings. He was a gentleman of fair abilities, strong native sense, and discharged all duties assigned him creditably and acceptably. His after career is unknown. He died several years ago.

HON. DAVID NOGGLE.

DAVID NOGGLE was born in Franklin, Franklin county, Pennsylvania, October 9, 1809. His father, JOSEPH NOGGLE, was of Dutch descent, and his mother, whose maiden name was MARY DUNCAN, of Scotch-Irish ancestry. Schools and academies were rare at the period in most parts of the country, so that he had no opportunities for education beyond what were furnished by the common schools, and his time spent in even these rudimentary institutions was very limited; notwithstanding which, by almost unaided efforts and tireless perseverance, he overcame the difficulties of his surroundings sufficiently to fit himself as a teacher. His general occupation prior to 1838 was that of farming, but, by diligent use of his time, he fitted himself for the bar, to which he was admitted by the supreme court of Illinois, and took at once a high and commanding position in the profession. He was married, October 15, 1834, to ANNA M. LEWIS, of Milan, Ohio. In 1839, he located at Beloit, Wisconsin, opened a law office, and at once commenced the practice of his profession.

In 1846, he was elected a member of the first Constitutional Convention, from the county of Rock, in which he was selected as chairman of the committee on corporations other than banking and municipal, the duties of which position were admirably and acceptably discharged, and he

became prominent as one of the leading men of the body.

In 1854, he was elected a member of the assembly from the city of Janesville, to which place he had removed in 1850, and was re-elected to the same position in 1857. He was subsequently elected judge of the first judicial district to fill the unexpired term of Judge KEEP, who died in office, and was re-elected to the same position for a full term. In 1869, he was appointed chief justice of Idaho, but after five years of active service was compelled to resign on account of failing health and growing infirmity that incapacitated him from further active life.

Mr. NOGGLE possessed strong mental power and decided ability. Had he enjoyed the benefits of a classical training in his youth, his energy and push would have insured him a national reputation among the greatest men of the land. Yet with but slight educational opportunities added to extraordinary difficulties at the beginning of his career, he nevertheless reached positions which many of higher culture would have attained with difficulty. In all positions of trust, it is but just to say, he ever acquitted himself with credit and honor. As a jurist he had few superiors, as a statesman he was far-seeing and sagacious, and as a citizen he was above reproach. While the rivalry of political contests made him, possibly, a few enemies, yet his friends were ever a multitude, warmly attached, sincere and lasting. He died in Janesville in 1879.

HON. BOSTWICK O'CONNOR.

BOSTWICK O'CONNOR was born in Dutchess county, New York. His father was also born in the same county, and served in the American army in the war of 1812. In 1817, the family removed to Ohio, where Mr. O'CONNOR resided until 1842, when he settled in the territory of Wisconsin, at first at Milwaukee. He describes his educational advantages to have been, that "he graduated from

a log school house, after studying three months with a Methodist school mistress, when he took his diploma and put out," becoming thereafter by profession a lawyer and physician. Was married to his present wife, MARY W. PLUMB, in April, 1865; was elected to the Constitutional Convention in 1846, from Washington county, in which body he served on the committee on the organization and functions of the judiciary, probably the most important article in the state constitution, and was also chairman of the committee on preamble. In the general proceedings of the body he seems to have taken a passive or quiet part, and not to have aspired to leadership on any of the mooted points so elaborately debated — voting his own convictions, but refraining from speech-making.

Since the state organization, Mr. O'CONNOR has busied himself most of the time in private life, although filling the positions of post-master, county judge, justice of the peace, etc., for many years in the several localities in which he has resided. His peculiar characteristics are the enjoyment of an exceptional versatility and vivacity, and freedom from conventional formalities — traits that mark the pioneer period — the overflow of a happy, contented mind, and perfection of physical health. Under the head of "experiences," he reports: "I can say that I have always had good victuals and clothes, and lots of good friends. My life has been a very quiet one, enjoying religion at the rate of ten knots an hour for the last forty years."

Mr. O'CONNOR now resides in Remington, Wood county, a hale, hearty and well preserved specimen of the manhood of early times in Wisconsin.

HON. DANIEL MORGAN PARKINSON.

This distinguished western pioneer was the sixth son of PETER PARKINSON, a Scotchman, who emigrated to America at a date unknown to his family, and settled in East Tennessee. His mother's name was MARY MORGAN, of

Welsh descent, and a sister of Gen. DANIEL MORGAN, of revolutionary fame, and after whom the subject of this sketch was named. He was born at Carter county, East Tennessee, October 20, 1790. His father died when he was two years old, and left his mother with seven children, in a wilderness country, and in the midst of roving bands of hostile and friendly Indians. Here young PARKINSON grew up to manhood, with very meagre opportunities for secular or moral instruction, and without the aid of the refinements of society; and when he entered upon active life, he found himself wanting in the elements of an average common school education; yet, he was trained to a high sense of personal honor, and of the strictest integrity, which stood him in stead; and throughout his long life he was never wanting in the adornments of true manhood. We may well suppose that his mother, rearing a family under such circumstances, was as heroic in domestic life as her brother had been heroic in the perils of the revolution.

Mr. PARKINSON spent most of his life in farming, and was, in all respects, a careful and prudent husbandman. In 1822, he settled in Sangamon county, Illinois, having previously lived a few years in White county, Tennessee, and in Madison county, Illinois. In October, 1827, he came to the territory of Wisconsin, and settled at New Diggings, in La Fayette county. He subsequently removed to Mineral Point, in Iowa county, and built the third house erected in that place, and kept it as a tavern and billiard hall. Here was held the first fourth of July celebration in the state — presumably in 1828. The late HENRY DODGE was president of the day, and a Doctor SNYDER, of Belleville, Illinois, pronounced the oration. Previous to his settlement in the territory, he had wooed, won and married the high-toned Miss ELIZABETH HYDER, a native of Tennessee, and in whose veins flowed the blood of the HAMPTON family, she being first cousin of the father of Gen. WADE HAMPTON, of South Carolina, late of the confederate service, and now

a United States senator. She presented him with all his children, but two of whom are now living: Hon. PETER PARKINSON, Jr., of La Fayette, and WILLIAM PARKINSON, Esq., of Iowa; NATHANIEL, who was the first sheriff of Dane county, having deceased quite recently.

Mr. PARKINSON was a captain, major and colonel successively, of territorial militia, and a lieutenant in the Winnebago war. He had the command of the fifth volunteer company, under General DODGE, in the Black Hawk war. He was accounted one of the best Indian fighters in the northwest, and was thoroughly versed in the Indian tactics of warfare. He enjoyed the unlimited confidence of his commanding officer, to whom he was attached by the closest ties of friendship; and when, subsequently, Gen. DODGE was elected a United States senator, his cup of happiness was filled to the brim, in which there was no taint of selfishness or of personal ambition. Under territorial government, he was a representative from his district, embracing what is now Iowa, La Fayette, Richland and Grant counties, in the first legislative assembly, convened at Belmont, in October, 1836; also of the second session, convened at Burlington, in 1838, and in the special session of the same year, at the same place. He was also a member of the first and second sessions of the third legislative house of representatives of 1840, 1841 and 1842, and has often been a member of the board of supervisors of his town, and its chairman, and often held a seat in the Iowa county board of supervisors. In 1846, he was elected to represent the county of Iowa (then embracing what is now La Fayette, also) in the Constitutional Convention of that year. In that body he served on the committee on the militia, and was an active, working member of the convention, possessing a strong influence for good in its action. He was a member of the state legislative assembly in 1849.

Mr. PARKINSON passed through all the phases of pioneer life in Tennessee, Illinois and Wisconsin. When he settled

in Illinois, in 1822, the country was still new and full of life and sport, and when everything, nearly, was done by the frolic. Houses were built, corn picked and husked, quiltings, harvesting and threshing, etc., all done by meetings of the settlers for miles around; their wives accompanying them, and the young people with their sweethearts. These meetings were interspersed with rude music, dancing, wrestling, horse-racing, and other athletic sports and amusements, and we may suppose, without offense to the imagination, that they had their bowls of whisky punch as well, although Mr. PARKINSON was a man of temperate habits, and taught temperance in his family with such success that his three grown-up sons never knew the taste of liquors. Limited in his education, he yet possessed a strong mind, well disciplined by reflection and keen observation. In debate, he quoted no authorities to sustain his positions, but relied upon his own convictions for correctness. In physical build he was a very Hercules — over six feet and six inches in height, with bone, muscle and flesh to correspond. As a friend, neighbor and citizen, none could be better; his kindness and hospitality were proverbial, and bounded only by his ability to confer favors. He lived in the companionship of such men as Gen. HENRY DODGE, Col. JOHN MOORE, Col. EBENEZER BRIGHAM, Col. WILLIAM S. HAMILTON, Gen. CHARLES BRACKEN, Judge J. W. BLACKSTONE, Col. ABNER NICHOLS, Major JAMES P. COX, Col. JAMES MORRISON, Col. LEVI STERLING and Major J. B. TERRY, all now deceased, and being a class of men who laid the foundation of empire and progress in southwestern Wisconsin. Differing in politics, they nevertheless contracted the warmest personal friendship; PARKINSON, DODGE, and their political friends, offered up sacrifices at the altar of ANDREW JACKSON; HAMILTON, BRIGHAM, and their party friends, paid homage to the mighty genius of HENRY CLAY. In influence, weight of character and sincerity of purpose, DANIEL M. PARKINSON

was the peer of any of these men whom we have named. In the State Historical rooms is to be seen a life-like portrait of this veteran pioneer; it will ever remain there, surrounded by the portraits of the companions of his later years. In the coming days, he and they will live green in the memory of the people of the Northwest. Wisconsin is proud of her founders, and among those whom she will ever delight to honor will stand the name of him of whom this brief sketch is written. Mr. PARKINSON was married three times, and survived all his wives.

At his residence in the county of La Fayette, on the first day of October, 1868, at the age of seventy-eight years, and attended by his son, PETER PARKINSON, Jr., he joined his comrades on the other side who had preceded him to their final rest.

HON. RUFUS PARKS.

RUFUS PARKS was the youngest son of WARHAM PARKS, who died in 1800, of wounds received in the battle of Saratoga, fought against the British forces under Gen. BURGOYNE, while acting as aid to Gen. LINCOLN. He entered the service as captain of a company raised and equipped by his father, and was promoted to the rank of major. An elder brother was a captain in the English service, and both took part on opposite sides in the battle of Long Island. RUFUS PARKS was born May 21, 1798, in Westfield, Massachusetts; was educated at Philips Academy, Andover, and during his life followed at different times the professions of merchant, law, and for many years that of farmer. After a residence at several points in Massachusetts and Maine, he settled in Milwaukee in October, 1836, and from thence moved to Summit, Waukesha county, in 1846, where he ever after resided. He married HARRIET FAIR LEVICE, in 1838, at Milwaukee.

He was appointed the first receiver of public moneys at Waukesha, and was afterwards elected county treasurer. In 1846, he was elected to the Constitutional Convention

from the county of Waukesha, and served in that body on the committee on amendments to the constitution, as well as upon divers select committees. While not taking a specially prominent part in the proceedings, he gained the unanimous respect of his associates by his strong native sense, great abilities, clear perceptions of the principles of organic law, firmness of purpose, sterling honesty, and courteous and retiring deportment. He was a man of few words, but they were ever weighty and to the point. In 1858, he was appointed superintendent of public property, and held the position for several years. In 1867, he was elected to the assembly, after which he retired to private life. He died at his home in Summit, September 17, 1878, full of years and honors.

HON. CHATFIELD H. PARSONS.

Mr. PARSONS was a native of the state of New York, born in 1807. He was elected to the first Constitutional Convention from Racine county in 1846, and was by profession a farmer. He served in that body on the committee on eminent domain and property of the state. He was highly esteemed by his associates as an honorable and upright gentleman, worthy of all confidence. Of his after career no record has been attainable.

HON. HORACE D. PATCH.

The ancestry of Mr. PATCH on his father's side was JOHN PATCH, a son of EZRA PATCH, of Connecticut. He was born in Onondaga, New York, August 7, 1814. He had an academic education at Cazenovia, New York, and was by profession an attorney-at-law. He was married, September 19, 1833, to CYNTHIA N. CHAPMAN; lived for some years in Ohio; removed to Whitewater, Wisconsin, in 1843; thence to Calamus, Dodge county, in 1845; and to Beaver Dam in 1848; was elected to the Constitutional Convention in 1846, from the county of Dodge,

but having been detained at the opening and organization for several days, was not assigned to any standing committee; yet the record shows an active participation in the proceedings thereafter. In 1852, he was elected to the assembly, and subsequently filled the office of clerk of court, treasurer, etc. Soon after the breaking out of the rebellion, he was appointed captain and quartermaster in the army, in which service he died June 22, 1862, from overfatigue and exposure, we believe at Corinth, Mississippi.

In all the relations of life, Mr. PATCH was a thoroughly honest, upright and good man, who enjoyed to the end the unbounded confidence and respect of his neighbors and friends.

HON. NOAH PHELPS.

NOAH PHELPS is a descendant of OBADIAH PHELPS and LUCY, his wife, who was a daughter of NATHAN PELTON, of East Windsor, Hartford county, Connecticut. He was born in the town of Turin, Lewis county, New York, May 21, 1808, and after receiving a common school education, became by profession a surveyor, in which occupation he was employed in surveying government lands in the present counties of Dane, Green and Rock, in the then territory of Michigan, in the years 1833 and 1834. January 5, 1835, he married ADELIA ANTOINETTE HOYT; and in 1838, settled permanently in Green county, Wisconsin. In 1841, he was elected county surveyor; in 1842, collector of taxes, and re-elected in 1843. In 1844, he was elected a member of the territorial house of representatives, and re-elected in 1845, the district then embracing Dane, Dodge, Jefferson, Sauk and Green counties.

In 1846, he was elected to the Constitutional Convention from the county of Green, and served in that body on the committee on banks and banking, and took a somewhat active part in the general proceedings. In 1848 and 1850, he was elected and re-elected clerk of the circuit court, and has since held many local offices of usefulness and importance.

Under the head of pioneer experiences, Mr. PHELPS records of himself: "Chock full of fun, and would like to try it over with the same set. No better could be found." The reporter who writes this has a vivid recollection that he was well posted in "Ojibway," to say nothing of other dialects, and that his humor flowed like a fountain, keeping all about him in a smiling mood, when not convulsed with laughter. He was a gentleman of great natural abilities, genial as the sunshine, affable, courteous, and greatly esteemed by his associates. Under all his seeming levity, there was a solid bottom of sterling worth, strict integrity, and large and varied educational attainments. The pioneer and his fun are historical characteristics. They grew out of natural surroundings, were contagious, and permeated the whole framework of early society. But they never trenched on the duties of the hour and time. As a result, the "old settler" is often found as hale and hearty at the age of seventy as the mass of the present generation at forty-five or fifty. Pleasant memories are the happiest gift of old age.

HON. JOSEPH S. PIERCE.

JOSEPH S. PIERCE was a native of Vermont, born in 1797, and by profession a farmer. He was elected to the first Constitutional Convention from Rock county, and served in that body as a member of the committee on municipal corporations, but was not otherwise distinguished or prominent. He was a gentleman possessing strong native and practical sense, and universally esteemed by all who knew him. In 1850, Mr. PIERCE bought a farm in Darlington, La Fayette county, from Hon. H. H. GRAY, and moved on it in 1851. He resided on his farm till 1856 or 1857, when he removed to Steele county, Minnesota, where he built a mill. In a short time this mill was destroyed by fire. This misfortune seriously impaired the health of Mr. PIERCE, and he died in 1859.

HON. THEODORE PRENTISS.

THEODORE PRENTISS was born September 10, 1818, at Montpelier, Vermont. He is the eighth son of SAMUEL PRENTISS, formerly chief justice of the supreme court of Vermont, subsequently United States senator for two terms, and afterwards judge of the United States district court. His father was a native of Stonington, Connecticut; his mother, LUCRETIA HOUGHTON before her marriage, was a native of Northfield, Massachusetts. His paternal and maternal grandfathers served in the revolutionary war, and his paternal great-grandfather was a colonel in the war, from Stonington.

Mr. PRENTISS pursued a course of study in the academy of his native town, preparatory for college, and entered the University of Vermont in 1838, but left the same year by reason of ill health, and went south. He returned in 1842, and studied law in his father's office at Montpelier, and was admitted to the bar in 1844. He removed to Wisconsin in October, 1844, and settled in Watertown, Wisconsin, in February, 1845. He was elected a member of the first and also of the second convention for forming a state constitution; was a member of the state legislature in 1861, and the same year was elected a member of the Board of Regents of the State University, and three several times he has been mayor of the city of Watertown. He married MARTHA J. PERRY, of Montpelier, Vermont, December 4, 1855, and has three sons. He has been successful in business so as to have acquired a fair competence.

The services of Mr. PRENTISS in the Constitutional Conventions of 1846 and 1847–8, were quite varied and important. In the first, he was chairman of the committee on the acts of congress for the admission of the state, and reported the article upon that subject, which, after a single amendment suggested by himself, was unanimously adopted. In the second convention, he served as chairman

of the committee on schedule and other miscellaneous provisions, in a manner equally acceptable to his associate members. While he took but small part in general debate, his brief speeches upon several pending propositions are strikingly terse, logical, and to the point, proving a high order of mental culture, and clear and discriminating judgment. His services in both bodies bear the impress of marked ability; and the same is equally true of his subsequent legislative labors. He has ever held the position of a prominent, sagacious, and in all senses upright and worthy citizen of a state whose organic law he so ably assisted to perfect.

HON. ALEXANDER W. RANDALL.

ALEXANDER WILLIAMS RANDALL, the subject of this sketch, was, in many respects, the most prominent character who has yet appeared in the history of Wisconsin, and his career will doubtless excuse a minuteness of detail neither desirable nor necessary to introduce the mass of public men whose lives are embraced in the scope of this work.

His genealogical record, so far as it has been attainable, is very brief. His father, PHINEAS RANDALL, was a native of Massachusetts. In 1818, he settled in Montgomery county, New York, residing there until 1851, when he removed to Waukesha, Wisconsin, and there died in 1853. He held the office of judge of common pleas under appointment from Gov. WILLIAM H. SEWARD, when the state judiciary was appointed, from 1837 to 1841. SARAH BEACH RANDALL, his wife, was born in Schenectady, New York, and at latest dates was still living at Fort Plain. They had several children. Among those who reached conspicuous positions, we may mention the Hon. E. M. RANDALL, at present, and for a long period, chief justice of the state of Florida.

ALEXANDER W. RANDALL was born in Ames, Mont-

gomery county, New York, October 31, 1819. He enjoyed a very thorough and complete academic education, and became a lawyer by profession. He settled in Prairieville (now Waukesha), in 1840. In 1842, he married MARY VAN VECHTEN, who died in 1858. In 1863, he married HELEN M. THOMAS, of Elmira, New York, who is still living, and resides at North Platte, Nebraska. He was elected a justice of the peace in Prairieville about the time he became of lawful age; was appointed postmaster, and speedily took rank as one of the best jury lawyers in his circuit.

In 1846, at the age of twenty-seven, he was elected a member of the Constitutional Convention. Detained at home from some cause, he did not reach the capital until some days after its organization, and hence took no part in the preliminary work. He served as a member of the committee on corporations other than banking and municipal; but the chief distinction since achieved from his labors in this body, and one of present historical value, was the introduction of the resolution, finally adopted, for the separate submission of the question of colored suffrage to a vote of the people. Strange as it may seem to this generation, anything even remotely tending to equality of races was in this early day looked upon with jealous hostility, and its formal proposition as in every way hazardous to any one ambitious of public life. As this was one of a series of measures in the north that in the end culminated in the great war of the rebellion some fifteen years later, it is by no means unimportant in this connection. The first to move in the matter was GEORGE HYER, a member from Jefferson county. He offered a resolution on the subject, but the next day withdrew it. It was again renewed by JAMES M. MOORE, of Waukesha county, referred to committee of the whole, where it seems to have been defeated. Mr. RANDALL then prepared the resolution in more perfect form, which, after an exciting debate, was adopted by

a vote of fifty-three to forty-six. It was the triumph of a principle whose importance, at the time, was comprehended but by very few.

After the close of the convention, Mr. RANDALL devoted himself for several years exclusively to professional labors, and seems to have taken no prominent part in political affairs, doubtless being looked upon as too much of an abolitionist to suit either party. But a great revolution was approaching. The moral sense of the public was awakening to the horrors of slavery, and its incompatibility with the principles of republican government. The democratic party, with which he had previously acted, and which had an overshadowing majority, by making a test of fealty to the south too prominent, broke into two fragments; the larger part uniting with a large portion of the whig party, made a new organization, which took the name of republican; and although the distinctive issues upon which it rose have long since been settled, it has ever since, with exceptional defeats, maintained its ascendency.

In 1855, this new party, by an extraordinary local vote, elected Mr. RANDALL to the assembly. Once in a position where his remarkable talents had room for display, he speedily acquired such predominant power as a wise and sagacious leader, that in the end opened for him a career of public life which no other of our citizens has ever achieved. The attempt to enforce the fugitive slave law in Wisconsin set political forces in motion which no one could have foreseen; but the plan of this work forbids anything more than general allusion to them.

In 1855, Mr. RANDALL was made a candidate for the office of attorney general by the republican state convention, but he failed of an election by a small majority, from local division. He was then appointed judge of the Milwaukee circuit court to fill out an unexpired term, a position in which he won the approbation of all parties, and to which he would have been elected the next spring had

there not been an enormous political majority, and a popular candidate arrayed against him.

In 1857, he was nominated and elected governor of the state, and so acceptably and well discharged the duties of this elevated position, that in 1859, two years later, he was again elected by a largely increased majority.

During both executive terms, he plainly forecasted that civil war was approaching, and in conversations with confidential friends, often alluded to its certainty in a manner that became almost prophetic in the events that speedily followed. So strong were his convictions on the subject, that he would have had the state prepared for the emergency, and had his advice been heeded in time, Wisconsin would have been far better prepared when the tempest finally broke in April, 1861. He had long watched the shadow of the dark penumbra as it gathered intensity; had a better appreciation of the force with which it would fall; and saw more clearly the ending than probably any other citizen. But the masses were utterly skeptical, the legislatures disposed to temporize, and when the storm first broke, an almost forgotten militia law stood as the sole representative of the military power of the state.

The spring of 1861 opened a new era in American history, and imposed upon the executives of states duties to which they were all unaccustomed, and of a magnitude and importance such as had never before been known. To the masses, the transition from peace to war was sudden and unexpected. The country could scarce believe that a dreadful conflict was impending. It took many months, and dire disasters, before the full magnitude of the struggle began to be realized in its full extent. But, from the opening gun fired on Fort Sumter, there was neither hesitancy nor pause. The drum-beat that woke its little garrison to arms, pealed over a continent, and aroused an excitement and enthusiasm without a parallel. So pressing was the danger that Governor RANDALL took the respon-

sibility, without law or the formality of a presidential application, to call the second regiment into existence, and to use public funds in advance of lawful appropriation, trusting to a patriotism that did not fail, to sanction his action. The executive office, from a quiet and peaceful retreat, was suddenly changed into a focus and headquarters of military activity. The whole people, as if by simultaneous impulse, rose in arms, and from the prairies, the openings and the pine forests, streamed forth the long files of manhood, so soon to take their places upon distant battle fields. How fortunate for the state that it had at its head an official so willing and capable to discharge every solemn and urgent duty demanded by the time. As an administrative officer, Governor RANDALL probably had no superior. As an organizer, he had wondrous talent. That in the haste, he committed errors, may be freely conceded. But, as a whole, his success was a marvel. As regiment after regiment was equipped, and moved on, who among us at the time but recalls with pride the glowing compliments that were paid the state from all sides for the heroism of its citizen soldiery, their neat appearance, and rapid progress in military education? Nor were they less distinguished for bravery. Their blood sprinkled every battle field of the war. They wrote a record in our history in deeds that are imperishable. But behind all, and even more important, was the genius that had organized the impulse, and put the force in motion. Important as had been his duties in peace, he must ever stand upon our historic annals as the great war governor of Wisconsin. He originated; others followed,—well and wisely,—in the path he had mapped out, for which they are justly entitled to commendation. But his was the master mind that put its impress indelibly upon all that came after, and is entitled to the credit so justly his due.

At the close of his term, January 1, 1862, Gov. RANDALL had a strong desire for service in the army, the state

having under his efforts furnished nearly 25,000 men. On visiting Washington, however, President LINCOLN induced him to change his purpose, and as a token of appreciation of his labors, appointed him minister to Rome. He soon after went abroad to fulfill the duties of his mission, which at that critical time were delicate and important. But amidst the conflict of arms at home, life abroad had no charms for him. He could not endure, as he expressed it to the writer, the sense of banishment, when every arm was needed to strike a blow for the country. He resigned in 1863, and on his return again sought a military position. The president, however, who had a correct appreciation of his high civil and administrative abilities, again dissuaded him, appointing him to the position of assistant postmaster general, the duties of which he filled until 1865, when President JOHNSON promoted him to the head of the department as postmaster general. He thus became a cabinet officer, from which he retired only at the close of the presidential term. He then resumed the practice of the law, locating at Elmira, New York, in which he continued to the date of his decease, August 26, 1872. His death created a profound impression of grief all over the country, but nowhere was it so sincerely and deeply lamented as in Wisconsin, where he was so widely and personally well known and universally beloved.

Gov. RANDALL, during his career, had many rivals, but it is doubtful if he ever had an enemy. The greatness and nobility of his nature placed him far above the average of public men. He harbored ill will to no one. Enmity and hate had no place in his bosom. His unselfish love of all, made him the friend of all. To say that he was not perfect, would be to say that he was not human. But his goodness of heart and generous qualities were in such excess as to dwarf all others. He was a true friend, a kind neighbor, a strictly honest and upright official, and in its highest sense, a true gentleman and worthy man.

The personal characteristics of Gov. RANDALL were peculiar and striking. He had a fine sense of humor and wit, and his propensity for mirth was almost resistless. But it was always tempered with a kindness that disarmed opposition and left no sting. His vivacity, indeed, was often mistaken for levity by those who had but little acquaintance with him. He possessed a wonderful faculty of adaptation, and easily adjusted himself to any company — jolly with the mirthful, grave where gravity was most befitting. We have known him to address a Sunday school in one hour, a crowd of noisy men in the next, and out-talk a committee of strong-minded women immediately thereafter — each in so apt a manner as to call down universal approbation. In each of such cases he said neither too little nor too much, made no mistakes, and illustrated his remarks in a manner to surprise his more intimate friends. Under all his humorous sayings, he never for a moment lost sight of the point he desired to make, but strengthened it by his illustrations, fixing an indelible impression upon the hearer, who, however disappointed in what he sought, never failed to testify to the kindness of his treatment and his appreciation of the courtesy of his reception. To strangers he often seemed idle and careless, with abundant leisure, without care, and one who gave but slight attention to the business in hand to do. In office hours, no matter how great the pressure, or how numerous the callers, he received all with a frank and genuine heartiness, and yet carried on his work in the midst of a flow of pleasantries that seemed to have no limit, and as if he had given no time to preliminary examination. This was a marked feature of his more visible life. Back of all, however, was something very different, for which he never received due credit. He was, in fact, as all who had intimate acquaintance can attest, a great, diligent and tireless worker. From about four o'clock in the morning until business hours began, and not unfrequently after the close

until late at night, the private room of Gov. RANDALL would have disclosed a very different personage. Had any one then looked in, he would have found him seated at a table, often with a bushel or more of letters before him, each of which he personally examined, mastered the contents almost at a glance, minuted the reply to be made, or referred it to a secretary for that purpose. All official papers of all kinds were subjected to a most rigid examination, especially contracts or other public obligations. Every thing was orderly, methodical and in place. The solid work of the day was disposed of before the mass of men had waked from their sleep. This preliminary work was an invariable habit. Nothing was omitted, and nothing forgotten. Office hours to him were a season of relaxation and not of labor. Any one who had personal schemes to subserve, and hoped to escape too close an examination in the belief that time had not been given to his proposals, was sure to find himself mistaken. He was dealing with one rarely duped or deceived.

Gov. RANDALL was not alone a well-read lawyer, but very much more. His education covered a wide range, both in history and literature. His logic was keen and incisive. He possessed in perfection the rare faculty of generalization — of reaching the principle and its proper application, no matter however deeply buried in verbiage. He was by no means a blind follower of precedent, but held that the present has rights and equities of its own. His conclusions followed rapidly from the premises, as if by intuition, and were rarely found erroneous, whether upon the bench or in administrative service. Add to this that he was honest and conscientious to an extreme, and if he erred it was the fruit of haste, impulse or passion. Generous to a fault, he lacked the faculty of acquisition, and was literally without selfishness. Almost reckless of his own means, in public life he was rigidly economical and exact, and even the tongue of slander never ventured to connect

his name with a swindling claim or fraud upon the public funds. Nor did any inducement ever make him swerve from the plain path of duty and honor. In this world's goods he was always poor. His generous instincts forbade the accumulation of private fortune, and he often suffered from lack of means. Yet, with millions at command in official life, his hands were never stained by personal gain. He held such trusts to be sacred — their wrongful diversion or use a crime, and no one ever guarded them with more sleepless vigilance. In an age of constant and bold public corruption such a record speaks for itself, and needs no commendation.

Both as a speaker and writer Gov. RANDALL excelled. His published speeches are brief, direct, and to the point, without rhetorical display or a waste of words to atone for an absence of ideas. His messages and other public communications evince the same plain common-sense plan. They are admirably drawn, statesmanlike in scope and purpose, direct, and the case always fairly presented. Above the mere politician, he cherished no resentments, and never made use of position to traduce his opponents. In a most difficult period, he steered safely between conflicting obstacles, conciliated by kindness and attention, and converted opponents into warm supporters, thereby filling the measure of public usefulness, and leaving behind a memory that will always be grateful to those who knew and appreciated his labors, perplexities, and the difficulties to be encountered. Nor should it be forgotten that his eulogists are among the greatest and best of the public men of the nation. Such as President LINCOLN, SEWARD, GREELEY, and a host of others, have both by acts and expression paid much higher compliments to his merits and worth than has been possible in this hurried and imperfect production.

HON. AARON RANKIN.

AARON RANKIN was born in the state of New York in 1812, and was by profession a farmer. In 1846, he was elected a member of the Constitutional Convention from Fort Atkinson, Jefferson county, and served in that body on the committee on executive of the state. Of his after career the committee have no information. He was noted among his associates as a sound, practical legislator, and worthy and respected citizen. He is reported as living, but his place of residence has not been ascertained.

HON. GEORGE REED.

GEORGE REED belongs to a prominent family in Wisconsin. His brothers, ORSON, HARRISON and CURTIS, were early settlers in the territory, and have been long connected with its affairs in various public capacities. Two sisters were also early settlers in the territory — the one was the wife of the late Judge A. D. SMITH, and the other is the wife of Hon. ALEXANDER MITCHELL. GEORGE REED was a native of Massachusetts, and was born in 1810. Of his early life we have no record. At an early day, he settled in the county of Waukesha, from which county he was elected to the territorial legislature in 1847, in which body he served till the state government was organized.

In 1846, Mr. REED was elected as one of the representatives from the county of Waukesha, to the first Constitutional Convention, and in that body served as chairman of the committee on the executive of the state. He took an active part in the proceedings of the convention, and was an able and useful member of it.

In a few years after state government was organized, Mr. REED removed to Manitowoc, and represented that county in the state senate, in the years 1866, 1867, 1868, 1869, and 1870. Soon after the close of his service in the

senate, he took a leading interest in the construction of the Wisconsin Central Railroad, that connects Lake Superior with Milwaukee. He was the president of this railway company for several years, and labored with much energy and ability to raise the means with which to build the road, and met with a large measure of success in the enterprise. He engaged the attention of Boston capitalists to the importance of the work, and they took hold of it with a will; put in their means, and the road was completed to Ashland on Lake Superior at a rapid rate. It was an immense undertaking, as a large portion of the route was through a wilderness of heavy timbered land, uninhabited. As fast as the road was completed, people settled on the line, till now there are several respectable villages located upon it, and the country is rapidly filling up. While Mr. REED was a leading man in this enterprise in its origin, and for years afterwards, owing to some trouble unknown to the writer, he did not remain connected with it till the line was finished; but he is entitled to much credit for his early labors in promoting a work that must prove of incalculable benefit to the state.

In all positions in life, Mr. REED has shown ability of a high order; and has done much for the promotion of the interests of his adopted state. He still resides at Manitowoc, and at the ripe age of three score years and ten, is in the enjoyment of reasonably good health and spirits.

HON. PATRICK ROGAN.

PATRICK ROGAN is a native of Ireland, born in 1812, and at the time of his election from Watertown, Jefferson county, to the first Constitutional Convention in 1846, gave his occupation as that of postmaster. He served in that body on the committee on internal improvements, and although not greatly gifted as a speaker, was justly ranked as possessing one of the strong minds of the assemblage. He was a pioneer settler in Jefferson county, among the

first to aid in subduing its immense forests, where he located at what became known as Johnson's Mills (now Watertown), and from the beginning bore an honorable and active part in all that related to the development and welfare of the country. In 1851, he was elected a member of assembly, and re-elected in each of the years 1853, 1855, 1862, and 1866, since which he has generally remained in private life. His career in Wisconsin has been long, and in every sense useful, and no one ever enjoyed more universal respect and esteem among all classes of persons. Having lived out a period covering the whole annals of the state, his old age is gladdened by troops of friends, and the hearty good wishes of every one.

HON. EDWARD G. RYAN.

EDWARD G. RYAN was born at New Castle House, in the county of Meath, Ireland, November 13, 1810, the son of EDWARD RYAN, Esq., of New Castle House, and ABBY, his wife, daughter of JOHN KEOGH, Esq., of Mount Jerome, near Dublin. He was reared in the full sight of wealth, but being the second son, inherited no share of it. He was educated at Clongone's Wood Cottage, where he completed his course in 1827. He commenced the study of the law in his native country, but before completing it, he came to the United States in 1830, and resumed the studies in New York, supporting himself, meanwhile, by giving lessons in private schools. He was admitted to the bar in 1836, and located in Chicago in the fall of the same year, where he practiced his profession till 1842. During his residence in Chicago, he was editor of a paper, which we believe was the commencement of the present *Tribune*. In 1842, he located at Racine, in this state, where he remained till 1848, when he removed to the city of Milwaukee.

Mr. RYAN was prosecuting attorney in the Chicago circuit in 1840 and 1841; was a member of the Constitutional

Convention in Wisconsin in 1846, representing the county of Racine. In this body he was one of the most conspicuous members, both in committee work and in the debates on the floor of the convention. He was the chairman of the committee on banks and banking, second on the committee on the judiciary; and also a member of the committee on education.

Mr. RYAN held the position of city attorney in Milwaukee during the years 1870, 1871 and 1872. In June, 1874, Chief Justice DIXON having resigned his position on the bench, Mr. RYAN was appointed, by Gov. TAYLOR, as chief justice of the supreme court of the state, to fill the vacancy, and he has since been elected to the high position by the people, without opposition. He is a man of vast legal learning, and a writer of masterly ability. His decisions, in point of literary style and legal research, will rank among the first in this country. He is an orator of great power, and many of his efforts equal those of the foremost men in the country. He was engaged in the prosecution of the impeachment trial against Hon. LEVI HUBBELL before the state senate, in 1853, and his great argument in that case ranks with the first efforts of the kind on record. He was engaged as counsel in the great gubernatorial contest between BASHFORD and BARSTOW in 1856, on the part of the relator, and, in this case, as in all others in which he has been engaged, he exhibited ability and legal research of the highest order; and his arguments were able, forcible and effective. The case was one of extreme importance, as fixing a precedent, and Mr. RYAN managed it with consummate skill and energy.

In person, Mr. RYAN is five feet ten inches in height, weighs about one hundred and eighty pounds, neither of robust nor delicate frame, but muscular, sinewy and capable of much long and continued labor. His movements are quick and his step elastic. His complexion is florid, his hair light, his eyes blue, large and expressive. The late

Col. Wm. B. Slaughter, in the Wisconsin Biographical Dictionary, delineated the character of Judge Ryan, thus:

"He may not possess the highest order of intuitive genius; he may never have been able to write 'Pilgrim's Progress,' nor 'Paradise Lost,' nor 'Hamlet.' Whatever of intellectual excellence he possesses arises from the deep earnestness of his moral nature, which leads to concentrated thought, and to that discipline of his mental faculties to which he has subjected them through long years of laborious study—*labor necesse est excellentiæ.* No truly great man was ever flattered by flattery, and Mr. Ryan has no trait of character more positive than his instinctive aversion to the language of panegyric as applied to himself. No person ever praised him generously without risking his contempt. With a profound reverence for ability in others, endowed with a clear perception of the just claims of real merit, but abhorring the arts which secure a meretricious reputation, he owes his position at the bar and on the bench to none of those adventitious circumstances which usually attend public promotion. But Mr. Ryan, as a whole, is remarkable for no single peculiarity, but rather for a combination of peculiarities. His mind is an aggregation of superior powers, harmonious and yet diverse. He is a ready and impressive orator, and yet a writer of remarkable accuracy and beauty of diction. His prepared lectures are finished models of literary composition, but scarcely less so are his addresses extemporaneously spoken. At the bar, in the lecture room, and on the bench, his speech is always affluent, expressive and precise; while he never hesitates for a phrase, no phrase escapes him which is not of striking import, by reason of the compactness and grace of its structure. In logical strength, and in that mental power of quick and searching discrimination which is the highest manifestation of a purely intellectual ability, he is without a superior. In the rhetoric of invective, in the recitation of prosaic fact, or in

the analysis of dry details and in rapid, terse and impressive argument, he possesses a power of apparently exhaustless resources. In the ordinary practice of his profession, no flaw of the law, no perversion of the truth, no weakness of the judge, escapes his observation, or evades discovery and exposure. With mental faculties thus comprehensive, disciplined and critical, is combined a physical temperament naturally sensitive, which inspires every mental act with electrical energy. Thus constituted, no question, whether of law or politics, is subject to his investigation which is not illuminated by the light of his genius, or solved in the fire of his criticism. *Tetigit nihil non ornavit.* It has been said that qualities like those which distinguish Mr. RYAN rarely comport with the conservative character of the judge; that he is better fitted for the contests at the bar than for the deliberations of the council chamber. This would be true of many men of equal or greater celebrity, but of less varied and comprehensive genius. It might have been partially true of Mr. RYAN before the softening influences of mature age had endued him with that intellectual calmness which best befits and adorns the exercise of strictly judicial duties. But it cannot be truly said of any man, that, simply because of his great ability in all departments of mental labor to which he has been called, he is unfitted for the particular department to which fortune or his own convictions of duty may summon him. JULIUS CÆSAR was the most distinguished warrior of his age. He was an orator of so high an order that many thought him the rival of CICERO. He was one of the wisest of the senators. He conversed with the magi of the east concerning the sources of the Nile and the mountains of the moon. He was the best historian of his day, and his 'Commentaries' is the text book of our day. He was withal a passionate lover. No man was ever great without strong passions. They are the winds that drive the vessel ahead. This delineation of Mr. RYAN'S

character would be imperfect, and a gross injustice to truth would be done, were I to omit to mention another prominent and most creditable characteristic of the man; a quality which has been the guardian of his youth, the crown of his manhood, and the consolation of his mature years. I refer to his profound reverence for the Deity, and that spirit of humility and devotion to religious duty which have ever characterized the lives of the truly great.

"In view of Mr. RYAN's forensic efforts at the bar, the brilliant flashes of his genius and the pitiless sarcasm of his wit; in view of his luminous opinions as a judge, in which he reasons with the force of logic and the certainty of demonstration; in view of his varied learning and classic taste, as exhibited in his lectures, and in view of the purity of his personal character, he may say, with as much truth as any man can, *Exegi monumentum ære perennius.*"

HON. LYMAN H. SEAVER.

LYMAN H. SEAVER was born in the state of New York, in the year 1808, and was a farmer by profession. He was elected to the first Constitutional Convention from Darien, Walworth county, and served in that body on the committee on schedule for the organization of state government. While taking no special part in debate, he took quite a prominent part in the proceedings, and his services were in all respects creditable and useful. His after career is unknown to us.

HON. A. HYATT SMITH.

A. HYATT SMITH was born in New York city, February 5, 1814; and is the son of MAURICE and MAY (REYNOLDS) SMITH, natives of Westchester county, New York. His ancestors took prominent part in the revolutionary war. The SMITHS were from England, two brothers having arrived in Boston in 1650. His father, who was a merchant in New York, died on the 22d of Feb-

ruary, 1828, when the subject of this sketch was thirteen years of age. JAMES SMITH became the guardian of A. HYATT, and at once decided that he should become a lawyer, and for seven years he pursued the study of law in the office of his guardian, and at the same time carried on his general studies in a private academy of Boreland and Forest, then one of the best classical schools in the city; and completed his education at Mount Pleasant Seminary. Mr. SMITH was admitted to practice in the city courts in 1835, and to the supreme court in 1836. He received a large practice in the city, but owing to impaired health, he concluded to remove west; and on the 22d of November, 1842, located at Janesville in this state, which place has ever since been his residence. For many years, Mr. SMITH was prominently engaged in the improvement of the water power at Janesville, and, in 1846, erected the largest flouring mill then in the west. In 1846, Mr. SMITH was elected to the first Constitutional Convention, and took a prominent position in that body. He was chairman of the committee on the eminent domain and property of the state, and was also chairman of a select committee on the division of the state into legislative districts. Mr. SMITH was active in favor of the ratification of the constitution presented to the people by that body, and made more than sixty speeches in its favor.

Previous to his coming to Wisconsin, Mr. SMITH was appointed, by Governor MARCY, in 1836, commissioner of deeds in New York city. In 1847, he was appointed, by Governor DODGE, attorney general of the territory, a position he held till Wisconsin was admitted as one of the states in the Union. In 1848, he was appointed, by President POLK, United States attorney, a position he held till the accession of President TAYLOR the next year. He was, in 1853, elected the first mayor of Janesville, and was again elected to the same office in 1857. In 1851, he came within two votes of being nominated for governor of the

state in the democratic convention, and came equally near the nomination for the same office in 1853. He was several years a regent of the state university. In 1866, he was appointed, by President JOHNSON, assessor of internal revenue, and held the office till the following spring. He has been largely engaged in many public enterprises, devoting much time in past years to promoting the building of various railroads.

On the 4th of April, 1838, Mr. SMITH was married in New York city to Miss ANN MARGARET COOPER KELLY, a native of Philadelphia, and daughter of PHILLIP KELLY. They have had eight children — four sons and four daughters. In politics, Mr. SMITH is a democrat. He cast his first vote for MARTIN VAN BUREN in 1836. He was a candidate for congress in 1848, and was defeated by Hon. ORSAMUS COLE. His career in Wisconsin has been a prominent one, and he has done the state good service.

HON. GEORGE B. SMITH.

GEORGE B. SMITH was born at Parma Corners, Monroe county, New York, May 22, 1823. His father, REUBEN SMITH, was a native of Rhode Island. His mother's maiden name was BETSY PAGE. She died when the subject of this sketch was but ten weeks old. Both father and mother possessed much strength of character, and the father filled many places of honor and trust, discharging faithfully every duty. In 1825, the family removed to Cleveland, Ohio, and in 1827, took up their residence in Medina, Ohio. It was in this place that our subject received a few years of schooling, and entered upon the study of the profession of law, with H. W. FLOYD, Esq., of Medina. In about a year thereafter, he entered the office of Messrs. ANDREWS, FOOT & HOYT, of Cleveland, where he pursued his studies with great diligence for about a year. Being a young man possessing much self-reliance — a characteristic that never left him in after life — his mind

naturally turned to the great west, which was then attracting attention in all parts of the country, and, with his father, came to Wisconsin, locating first at Kenosha (then Southport), and there pursued his studies in the office of the late Hon. O. S. HEAD. He was admitted to practice at the bar of the United States court, Hon. A. G. MILLER presiding, on the fourth of July, 1843. Spending a short time in Kenosha after his admission, he returned to Ohio, and united himself in marriage with Miss EUGENIA WEED, of Medina. Then, with resolute courage, he again turned westward, and, in the fall of 1845, located in Madison, the capital of Wisconsin. It was here that he literally fulfilled the GREELEY advice of growing up with the country. Wisconsin then contained but a small population; Madison was a village of three or four hundred souls. The young attorney at once took a leading position in his new home; and, rapid as was the growth of the west, he kept pace with it, and in all after-life, kept in the front rank of its citizens. He at once entered upon the practice of his chosen profession — and one which he dearly loved — in the several courts of the then territory, and continued a prominent member of the Wisconsin bar, to the time of his death.

In January, 1846, Mr. SMITH was appointed district attorney for Dane county, and for six years held this important position, giving to the discharge of its duties rare ability, close attention and thought, and a fidelity to the trust reposed in him that is seldom bestowed in professional life. He was prompt and efficient in the discharge of every duty, and rendered the county and state very valuable service. He soon became marked as a young man of more than ordinary ability. This was shown in his being selected by his fellow citizens, when he was less than twenty-four years of age, to represent them in the Constitutional Convention that assembled in Madison in October, 1846. He was the youngest man, in years, there was in that very distinguished

body of able men; a body generally conceded to have contained the largest amount of talent of any that ever assembled in the state. Young as was Mr. SMITH, he was able to sustain himself with great credit in contests with these brilliant minds, and was acknowledged to have been one of the most active members of that convention. He was chairman of the committee on a bill of rights, a member of the committee on the organization and functions of the judiciary, and performed much labor on other committees. He favored liberal exemption laws, and to him, perhaps more than to any other man, are the people indebted for the liberal laws that now exist on that subject. He urged with great vigor, that the provision be engrafted into the constitution, and the instrument produced by that convention contained advanced views on this subject. The principles were so advanced, and carried out so much in detail, that this feature was strongly objected to in the discussions of the constitution before the people, and afforded one of the strongest reasons for its rejection; not so much on account of the principle involved, as in the details. It was deemed best to simply declare a principle in the organic law, and leave the details to the legislature. But Mr. SMITH was soon gratified, after the state was admitted into the Union, by seeing the principles of a liberal homestead exemption, for which he had battled so manfully in the first Constitutional Convention, become a part of the statute law of the state; and it still remains so. The constitution then presented was rejected by the people, after an excited contest, on account of a few of its provisions that were deemed too radical for the time. But its main features were adopted in the second convention, which met the next year, and now form the organic law of the state.

In the fall of 1853, Mr. SMITH was elected attorney general of the state, and served for a term of two years and declined a re-election. During this term there were many exciting questions before the people, and party spirit

ran high. Mr. SMITH took bold ground in favor of his party, and was censured for some of his acts; but, as a whole, he discharged the duties of the position with eminent ability and to the full satisfaction of his own party, and, in most acts, to the satisfaction of his opponents.

Mr. SMITH served as mayor of the city of Madison, in the years 1858, 1859, 1860 and 1878, and always acted as he deemed for the best interests of the city. In the years 1864 and 1869, he represented the capital district in the assembly, and was deemed one of the ablest men in those bodies, both as a worker on committees and as a debater on the floor of the house. He occupied the position of party leader on all political questions. His ability and experience fully entitled him to that distinction. The interests of his constituents never suffered in his hands.

In 1864, and again in 1872, Mr. SMITH was the democratic candidate for congress in his district. In both instances he canvassed the district with much ability and thoroughness, but met with defeat on both occasions, not on account of his own unpopularity, but from the fact that his party was in the minority. In 1869, he received the democratic vote for United States senator, in opposition to Hon. MATT. H. CARPENTER, the successful candidate.

He was a candidate for presidential elector in 1868 and in 1872. In the latter campaign, he took an active part in favor of the election of HORACE GREELEY to the presidency. He represented his state twice in national conventions of his party. At St. Louis, in 1876, he made a speech, deemed the greatest political effort of his life, which gave him much national reputation, and would doubtless have been followed with distinguished preferment had the candidates there nominated been successful before the people. It has been supposed that had Mr. HENDRICKS declined the nomination for the second place on the ticket, Mr. SMITH would have received the high honor of filling the vacancy on the ticket. The only other public position of promi-

nence that Mr. SMITH has occupied was, in 1876, when he was designated as one of the distinguished visitors to Louisiana, to supervise the canvass of the vote of that state for presidential electors.

Having been an early pioneer to the state, and a conspicuous member of the first Constitutional Convention, Mr. SMITH naturally took a deep interest in the affairs of the Old Settlers' Club, and in the meetings of the surviving members of the two Constitutional Conventions. In July, 1879, he delivered an address before these two organizations in Madison; a duty he performed faithfully and ably, not only giving the history of these conventions, but furnishing also a very interesting and valuable sketch of the early history of Wisconsin. It could hardly have occurred to him and to those who heard him upon that interesting occasion, that he was so soon to be called away from the fellowship of his old associates of the conventions of the earlier days. But he contemplated the time when their voices should all be hushed, and when the places which had known them on earth should know them no more forever. Prophetic of such a time, he closed his address with the following finely conceived paragraph, which, now that he is gone, will have a touching and mournful interest to his surviving friends. He said:

"I hope these meetings may be continued from year to year; that they may increase in interest as the members entitled to be here diminish. Each recurring meeting, I am sure, will in many respects be sadder and sadder for those who come, until finally, when the last of this noble band of pioneer patriots and public benefactors, enfeebled by age, shall come with trembling steps, and with conflicting feelings of pleasure and pain — pain that he sees no more the noble forms and familiar faces of those who helped him to lay the foundation of this grand commonwealth; pleasure at the joyful greeting he will be sure to receive from the grateful people he so faithfully served; when this time comes, as it surely will come, I bespeak for this survivor, whoever he may be, a reception and a welcome that shall forever make that day memorable in the history of Wisconsin."

Little did those who heard this address think that the

speaker, the youngest member of either convention, and a man of apparent robust health, would be among the very first to pass over the river.

Mr. SMITH has not occupied the high positions in public life which his talents would have commanded, had his party been in the majority. He had the ability and acquirements to make his mark in any position. This has been shown in his practice at the bar, which has been very extensive, and where he has maintained a high standing, ranking among the ablest lawyers in the northwest. As an orator, as an advocate, and as a political speaker, he has had few superiors in the country. He had a fine presence, a splendid voice, a forcible manner of speaking, that rendered his oratorical efforts fascinating and effective. His private life was without spot or blemish. He had been a great reader of the general literature of the day, and his mind was richly stored with its treasures. Socially he was one of the most engaging and entertaining of men; instructive in conversation, quick at repartee, bright and witty, pleasant in manners, he endeared himself to all who met him in the social circle.

As a politician, Mr. SMITH belonged to the democratic party; he was positive in his opinions, and bold and uncompromising in advocating them. As a strong partisan, he was always armed, ready to defend his own party and attack the opposition. Few men in the state performed more effective work for his party. His labors upon the stump were great, and acceptable to his friends. Mr. SMITH was unusually free from malice in his make up. He would strike hard blows to his political opponents, and receive the same, without disturbing personal friendship. He was courageous, quick to resent and repel insult and injury, free and prompt to forgive, and ready to meet his adversary half way in the settlement of any difficulty.

On the 29th of August, 1844, Mr. SMITH was married to Miss EUGENIA WEED, of Medina, Ohio, an estimable

lady, worthy of him, and one to whom he was devotedly attached in all the relations of life. They were blessed with the birth of five children, two of whom, JAMES S. and ANNA, now Mrs. ROBERT J. MCCONNELL, survive, and the other three preceded the father to the grave, and it is hoped they are now joined with him in the life of the blessed.

As a citizen, Mr. SMITH was generous, and labored earnestly and zealously for the development of the material interests of his own beautiful city, the state of his adoption, and of the whole country.

In the matter of accumulating a fortune, Mr. SMITH was not a great success. He was too generous to lay up money. He could earn it, but the saving of it was not to his mind. He felt that money was good only for its uses; for the happiness it might procure; and, for the comfort of his family, he would freely expend it. In the estimation of some, he was in error in this respect; but all must admit, if error at all, it was error in the direction of generosity, humanity and kindness — free from all selfishness. His great object in life was to render happy his family and his friends; to act well the part of a citizen and a neighbor. In this, he has succeeded in a marked degree. While he has not acquired wealth, in the common acceptation of the term, he has secured that which is vastly more valuable — a life of home happiness.

Mr. SMITH stood pre-eminent in his chosen profession. For many years he was the leader of the Dane county bar, and the senior in the years of practice. In the state, most of the associates of his early years, in practice before the several courts, preceded him to the grave. In brief remarks by Hon. HARLOW S. ORTON, one of the early friends of Mr. SMITH, delivered at a meeting of the Dane county bar association, on the 7th of November, 1879, he made reference to the prominent men in practice at the bar of the supreme court at the time he first met Mr. SMITH, in these words:

"There were then in attendance upon the supreme court, Gen. WILLIAM R. SMITH, ALBERT SMITH, A. D. SMITH, Judge DUNN, SAMUEL CRAWFORD, JAMES H. KNOWLTON, ALEXANDER BOTKIN, DAVID NOGGLE, JAMES HOLLIDAY, JAMES S. BROWN, JAMES B. CROSS, D. A. J. UPHAM, H. N. WELLS, JONATHAN E. ARNOLD, Gen. PAINE, ISAAC P. WALKER and Judge CHANDLER, and on the bench of the court, Judges WHITON, STOWE, HUBBELL and KNOWLTON, all of them long since sleeping with the dead; and amongst them are all the members of the first separate court; and to this grand array of great lawyers and able men, now in another and a better world, our deceased brother has been added, a fit associate of such high society."

In his family relations, Mr. SMITH was peculiarly happy, and it was at his home where his real character shone out most brightly. As a son, he was dutiful, affectionate and considerate; as a husband, father and grandfather, he was kind, loving, patient and tender, and doted with the strongest affection upon his wife, his children, and his grandchildren. It is in these sacred relations of life that the true and noble character of the real man is shown; and herein Mr. SMITH stood pre-eminent, and beautifully illustrated the truth of the words of the poet, in the lines:

> "Domestic happiness, thou only bliss
> Of Paradise, that hast survived the Fall!
> Thou art the muse of Virtue; in thine arms
> She smiles appearing, as in truth she is,
> Heaven-born, and destined to the skies again."

Mr. SMITH was an able, interested and valued member of the State Historical Society, and loved to spend his leisure hours in looking over the rare treasures in its library. He was ever ready to defend and promote the interests of the society.

Mr. SMITH was truly a western man. He loved the state of his adoption, and never failed to defend her interests in all places with that force and eloquence with which

nature had endowed him. His oratory was western — bold, aggressive and strong. His rhetoric may have been faulty at times, showing a want of a liberal education, but it never lacked clearness and force. His style of speaking was natural. His words flowed easily, and his gesticulation was impressive. Force was a leading characteristic in his speaking, and as he warmed up in his subject, he was oftentimes lofty and truly eloquent. As an effective political speaker, Mr. SMITH had few superiors in the west. He was apt in illustrating his speeches with pointed anecdotes culled from his extensive general reading. Being generally well informed on most of the current topics of the day, Mr. SMITH was prepared to be called upon for remarks on almost any subject at short notice. He rarely failed to meet the high expectations of his friends, in his speaking, whether he was specially prepared or not. In this respect, he was a remarkably useful man in community. Nature had endowed him with a form of manly dignity and a face presenting remarkable suavity and benevolence.

"Death found strange beauty on that polished brow, and dashed it out."

GEORGE B. SMITH is now at rest. He died on the morning of September 18, 1879, in the 56th year of his age.

HON. JOHN YATES SMITH.

JOHN YATES SMITH was born near Evans' Mills, town of Le Roy, Jefferson county, New York, February 10, 1807. His father, PETER SMITH, was born in Ireland — probably the northern part, and came to this country as a soldier in Burgoyne's army, during the war of the revolution. His mother, POLLY PETIT, was a niece of ETHAN ALLEN. They settled in western New York at an early period, and endured every privation and hardship incident to pioneer settlement. By the death of the parents the family soon became widely scattered, so that complete de-

tails of the after career of the members cannot now be obtained.

The subject of this sketch, after many privations, secured the advantages of a limited common school education, but may properly be pronounced self-educated. He was by trade a carpenter and mill-wright; afterwards a farmer and editor. He emigrated to the west and settled at Green Bay, May 18, 1828, after a trip by schooner upon the lakes of one month from Buffalo. He was speedily employed, and built the first flouring mill and second frame house in what is now Wisconsin. In 1835, he located a "float"—*i. e.*, entered 80 acres of land—in what is now the city of Milwaukee. The sudden rise in value, which seemed to promise speedy fortune, was dissipated by the revulsion of 1837, when he sold out at a large sacrifice, and purchased a farm in Waukesha county, which after a few years' trial he disposed of, and removed to Madison, where his abilities as a writer and editor gave him great prominence. He was elected commissioner of public buildings in 1842, by the legislature, and superintendent of public property in 1843, 1844 and 1845, in which capacity and under his superintendence the old capitol was finally completed and rendered fit for use.

He was three times married, first to ANNA WEED KELLOGG, a teacher in the mission school at Green Bay, September 27, 1832. She died in Madison, March 3, 1847. He then married HARRIET WRIGHT, July 5, 1847. She died September 7, 1851. March 18, 1852, he married SARAH ANN WARNER, who still survives.

He was elected a member of the Constitutional Convention in 1846, and served in that body on the committee on schedule for the organization of the state government, as well as on numerous select committees, and took a very important, though quiet part, in framing the several articles of the proposed constitution.

But it was as a writer and editor that Mr. SMITH was

chiefly distinguished. His mental training was clear, discriminating and severely logical. A great reader and cautious thinker, he had acquired a wealth of information ready at command on all occasions; but his specialty was the science of political economy, and metaphysical inquiry in all its branches, including constitutional law. In his day, it is doubtful if he had a peer in the west his equal in the discussion of the most profound problems of government, and his services in this particular were in request during the war of the rebellion, as an aid and guide to national legislation. Wisconsin was singularly fortunate at the period immediately preceding state organization, in having a press whose editors were capable of discussing fundamental principles divested of party prejudices, and of leading and creating, instead of following blindly the immature suggestions of merely partisan leaders. To their forecast, sagacity and far-seeing penetration, the state owes all the best features of a constitution which for a period exceeding thirty years has undergone less changes than probably any other in the west. Moreover, its public men, representing the diverse ideas of the time, were in the highest sense cultured and great. To have ranked as an equal among these, was no ordinary honor.

Mr. SMITH terminated his connection with the press in 1851; resuming it again, for a short time only, some years later; but his writings for the principal reviews and publications of other kinds designed for greater permanence, were continued to the close of his life. His labors have left an enduring memorial of the times in which he lived. Few did as much, and none more than he to build the new state on the solid foundations of right, justice and equality.

He died May 5, 1874, at his residence in the town of Madison.

Of the more important of the writings of JOHN Y. SMITH, the following are noted:

1. A series of articles on the Power of Congress over

the Territories; written before the admission of Wisconsin to the Union, to combat the erroneous idea of territorial rights, which had almost plunged the territory of Michigan into rebellion. These articles are understood to have had much influence in placing Wisconsin in a proper attitude before the federal government.

2. Two elaborate papers against Usury Laws, published in the *Democratic Review*, in 1850.

3. A paper on the Agriculture of Dane County, published in the transactions of the State Agricultural Society of Wisconsin, 1851.

4. A paper on the Adaptation of Crops to Soil and Climate, published in the same work for 1852.

5. An address before the Madison Institute, 1855, on the Rank of the Human Race among the Rational Orders of the Universe.

6. A series of articles against taxing evidences for debt, written about 1856.

7. A paper on the Origin of the American Indians, read as the annual address before the State Historical Society, January, 1859, published in volume IV of the society's collections.

8. A speech delivered at Madison, March 14, 1861, on the state of the country. This was the first vigorous war speech made in the state.

9. A series of articles published in the *Argus*, in 1861, advocating the doctrine, that states by revolting lapsed into the territorial condition. These articles were written before Senator SUMNER advanced the same doctrine in his *felo de se* resolutions. Subsequently, he prepared a lengthy article on this subject, which attracted the attention of Hon. AMASA J. WALKER and Hon. CHARLES SUMNER, and other political economists and statesmen of the country.

10. A pamphlet on the Depreciation of the Currency, published in 1865.

11. A review of Senator DOOLITTLE's speech at Madi-

son, September 30, 1865, on Reconstruction, published in that year.

12. A paper on ELEAZER WILLIAMS and the Lost Prince, read before the State Historical Society, March 10, 1870, and published in volume VI of the collections of the society — an exhaustive article on a subject which had a few years before excited so much discussion, and settling the question beyond all doubt.

13. A paper read before the Wisconsin Academy of Arts and Sciences, February 15, 1870, on the Laws which Govern the Configuration of Comets.

14. A paper also read before the Wisconsin Academy of Arts and Sciences, in 1874, on the Effect of Duties on Imports upon the Value of Gold.

HON. SEWALL SMITH.

SEWALL SMITH was a native of the state of Vermont, born in 1802, and was by profession a farmer. He was an early settler in East Troy, Walworth county, from which he was elected to the first Constitutional Convention in 1846, in which body he served on the committee on banks and banking. He was a gentleman of fair abilities, well cultured, and much esteemed by his associates. At latest dates he was still living, at a ripe old age.

HON. WILLIAM R. SMITH.

General SMITH was born in La Trappe, Montgomery county, Pennsylvania, August 31, 1787. His ancestry on his father's side was Scotch; on his mother's, Swedish. He was carefully educated in youth, under the care of his grandfather, provost of the college, now university, of Pennsylvania. His father was WILLIAM MOORE SMITH, an eminent lawyer and poet. In 1803, he visited England on business, taking his son WILLIAM R. with him, where he commenced the study of the law, which he ever after followed as a profession, although much of his time for

several years was devoted to literary writing and poetry for the principal newspapers and reviews of that period.

He married in 1809, and settled at Huntingdon, on the Juniata river, following his profession for a period of over twenty years, during which time, however, he was repeatedly elected a member of the legislature, was presidential elector in 1836, besides holding various military appointments from the rank of lieutenant to that of major-general.

In 1837, he was appointed commissioner, in connection with Gov. HENRY DODGE, of Wisconsin, to negotiate a treaty with the Chippewa Indians, convened at Fort Snelling, which resulted in the purchase of a large part of the territory now embraced in the state of Minnesota. In 1838, he removed with his family to Mineral Point, Wisconsin, where he made his home during the remainder of his life. In 1839, he was appointed adjutant general of the territory. In 1846, he was elected clerk of the council of the territory, and the same year, a member of the Constitutional Convention. He served in this body as chairman of the committee on militia, and ás a member of the committee on the organization and functions of the judiciary, and took a prominent part in all proceedings. After the organization of the state, he was elected chief clerk of the senate in 1849 and 1850. In 1855, he was elected attorney general of the state.

During a long career, he filled many offices of honor and usefulness of minor kind;—an enumeration is not deemed necessary. In whatever position placed he took a prominent and useful part, and was noted for brilliant abilities, laborious research, and conscientious convictions. In 1853, he was employed by the state, and prepared its history from the earliest French discovery to the territorial organization in 1836. He died August 22, 1868, while on a visit to Quincy, Illinois.

HON. EVANDER M. SOPER.

EVANDER M. SOPER was a native of Vermont, born in 1810, and by occupation a mechanic. He was elected a member of the first Constitutional Convention from Manitowoc county, and served in that body on the committee on banks and banking, but otherwise took no prominent part in the proceedings. He was a gentleman of sterling integrity and worth. He is reported as having died several years ago.

HON. ELIJAH STEELE.

ELIJAH STEELE was a native of the state of New York, born in Watervliet, New York, November 13, 1817. He married LUCIA A. HART, and resided for a time in Oswego. He settled in Southport (Kenosha) among the pioneers, and was a lawyer by profession. He was elected to the Constitutional Convention in 1846, from Racine county, and served on the committee on the revision and adjustment of the articles of the constitution adopted by the convention, and was a very useful but not prominent member. After the adjournment and a few years later, he removed to California, and has been a member of the legislature of that state. He was living when last heard from, but little has been obtained in regard to his personal record since the time of the convention.

HON. THOMAS S. STOCKWELL.

The place of nativity and date of birth of Mr. STOCKWELL are not recorded in the public records, through some oversight in their preparation. He was elected to the Constitutional Convention from Racine county in 1846, but his name does not appear on any of the standing committees, and he took no important part in the proceedings. He is remembered as a worthy gentleman, of honest and sincere purposes, who discharged every duty of his position with conscientious fidelity. Of his after career the

committee have no record. At latest advices, he still lives in the town of Salem, but much enfeebled by age and infirmities.

HON. MARSHALL MASON STRONG.

The career of Mr. STRONG in Wisconsin is so inseparably interwoven with the history, rise and progress of both territory and state that, it is not possible to separate them in a biographical sketch designed to record the public services of distinguished citizens in pioneer times. He descended from an ancestry conspicuous for ability and prominence from near the beginning of the annals of American colonization,—a grand race that has written its record on public affairs for a period of about two and a half centuries. The genealogy of the family furnished the committee is as follows:

Elder JOHN STRONG was born and lived in Taunton, Somersetshire county, England. He was a son of RICHARD STRONG. He emigrated to America in 1630, settling in Dorchester, Massachusetts. He married his second wife, ABIGAIL FORD, at this place in 1635. Soon after, he removed to Windsor, Connecticut, and assisted actively in colonizing the new town with new arrivals from the old country. In 1660, he removed to Northampton, Massachusetts, and died there in 1669, at the age of ninety-four years. He was the father and founder of the STRONG family in this country, and the first ruling elder of the church in Northampton.

SAMUEL STRONG, a son of Elder JOHN STRONG, was born August 5, 1652; settled as a farmer in Northampton, and died there October 29, 1732, at the age of eighty.

NEHEMIAH STRONG, a son of SAMUEL, above named, was born in 1694; removed to Amherst, Massachusetts, about 1741, and died there February 28, 1772, aged seventy-eight years. He was the father of Professor NEHEMIAH STRONG, of Yale college.

Judge SIMEON STRONG, son of NEHEMIAH, was born

March 6, 1735; graduated at Yale in 1756, and soon attained great eminence both as a preacher and lawyer. He was chosen a representative in the general court in 1767, state senator in 1793, and a justice of the supreme judicial court of Massachusetts in 1800, in which position he served until his death, December 14, 1805, at the age of sixty-nine years.

HEZEKIAH WRIGHT STRONG, son of Judge STRONG, above named, was born December 24, 1768; graduated at Yale in 1800; a lawyer by profession, in which he achieved marked distinction. He died at Troy, New York, October 7, 1848, at the age of seventy-nine years.

MARSHALL MASON STRONG, the subject of this sketch, son of HEZEKIAH W. STRONG, was born September 3, 1813. He received a thorough collegiate and legal education, and was by profession a lawyer. May 27, 1840, he married AMANDA HAWKS, of Troy, New York. January 27, 1846, during the absence of her husband at Madison, as a member of the territorial council, she, with her two children, were burned to death in a fire that, breaking out in the night time, destroyed both family and home. September 19, 1850, he married for a second wife EMELIE M. ULLMANN, of Racine. He died March 9, 1864, at the age of fifty years.

Mr. STRONG was a native of Amherst, Massachusetts, where he spent his early years at the academy and college of that place, but finished his collegiate course, and graduated at Union College, Schenectady, New York. He then engaged in the study of law, at the city of Troy, in that state, and was there admitted to the bar.

In June, 1836, he came to Wisconsin, then almost an unsettled country. In 1839, he was elected a member of the territorial council, and was one of a committee of three from that body to revise the laws of the territory, in which capacity he faithfully performed his duties. From that time forward his reputation was established in the front

rank of his profession throughout the territory. In 1844, he was again elected to the territorial council, for the years 1844–5, and again re-elected for the years 1846–7, where he continued to perform his duties with untiring industry until an appaling calamity, in 1846, called him for a season from his labors to mourn in silence and solitude the entire loss by fire of a much loved and interesting family. As time restores the deeply afflicted to themselves, to society, and to the business of the world, his usual cheerfulness returned to him, and he to his professional labors.

He was elected a member of the Constitutional Convention in 1846, serving in that body as chairman of the committee on constitution and organization of the legislature; and also was a member of the committee on the organization and officers of counties and towns, and their powers and duties. He took a very prominent part in all the labors and debates of the convention; but, in the end, so widely differed from the majority that he resigned before the close of the session, and was very active in his efforts to defeat the constitution when submitted to popular vote, — indeed, may be said to have been the chief cause of its final rejection at the polls.

In 1849, he was again elected to the state legislature, took an important part in the revision of the statutes of the state, and then permanently retired from the political strife so necessarily connected with public life, and which was uncongenial to his thoughtful, quiet and domestic nature. In 1850, he again married, and the domestic happiness enjoyed by him and his interesting family was rarely equaled. He left a wife and three children to mourn, in common with the whole community, their and the public's irreparable loss.

While his strict sense of justice prompted him on all occasions to be exact in the financial affairs of his clients, and in no way reckless or extravagant in his own, yet he had less love of money for its own sake than most men of

the present day, as his liberal use of it for the good of others will bear witness. His general reading, aside from his profession, was extensive and varied. His love of literature and science prompted him to spend time and money for the establishment of Racine College, and the erection of the college buildings, being always forward in such public or private enterprises as the public good seemed to require. He was a man of strong will and great firmness of purpose, yet seeking less his own advantage than what he conceived to be for the public good.

During the terrible struggle of the rebellion in which our country was involved, he was an unconditional supporter of the government, using his means, employing his pen, and lifting his voice, while strength lasted, to aid the cause which all true patriots are anxious to see triumphant. As a public speaker, he had a happy faculty of stating his views clearly, in pure and concise language; his reasoning, though not characterized by any labored attempts at ornament, was forcible and convincing, and never, even in the heat of debate, did he allow passion to influence or control him.

In his intercourse with his fellow men, he was courteous and gentlemanly. Toward his professional brethren he was unassuming, and ever ready to advise and assist the younger portion, who placed unlimited confidence in his judgment and rectitude. Dignity characterized his bearing in court, as elsewhere, and his uprightness, fairness and candor in trying causes, gave him as much influence with the court and jury as a man ought to have; but that influence was ever used to promote justice, and never abused. No person had just cause to complain that he ever endeavored to obtain an unfair advantage, and yet his sagacity and watchfulness were an effectual guard and protection to his clients' interests. His exalted views of the nature and duties of his profession were such that he despised the tricks and chicanery resorted to by many, and always used

his influence to effect a settlement of difficulties between litigants, rather than add fuel to the flame. He had a quick apprehension, retentive memory, a discernment remarkably active, and reasoning faculties eminently vigorous. His philosophical mind, in originality and profundity of thought, was equaled by few. Had he occasion to investigate any subject, he was persevering in research, and thorough in study. In conversation, uncommonly instructive. In private life, a genial companion — always tender and compassionate to the poor — always ready to relieve them — strictly temperate in his habits, and entirely free from the vices into which mortals but too often are led. In short, truth, justice and gentleness, than which nothing can be more sacred and pure, mingled in his every act, and characterized the man. He closed his labors and his life among us, retaining the love of his immediate friends, and the respect and confidence of all who knew him.

HON. MOSES M. STRONG.

Moses McCure Strong is a descendant from Puritan stock, long settled in America. His paternal ancestor, Elder John Strong, emigrated to New England, and settled at Dorchester, Massachusetts, in 1629, and died at Northampton, to which place he had removed, at the age of 94 years. His grandfather was Hon. John Strong, born August 5, 1738, who settled at Addison, Vermont, opposite Crown Point, New York, several years before the war of the revolution, in the military events of which he took a distinguished part. His father, Moses Strong, born July 6, 1772, was a distinguished lawyer and judge, residing at Rutland, Vermont, where he died in 1842. He was married December 20, 1801, to Lucy Maria Smith, daughter of Dan Smith, of West Haven, Vermont, who was a descendant of John Cotton Smith and Cotton Mather.

Moses M. Strong was born in Rutland, Vermont, May

20, 1810. After five years spent in village, and three in county grammar school at Castleton, he studied three years in Middlebury College, and one in Dartmouth, where he graduated in 1829. July 31, 1832, he married CAROLINE FRANCES GREEN, daughter of Dr. ISAAC GREEN, of Windsor, Vermont.

The public career of Mr. STRONG has been so long and prominent in the west, that we should do injustice not to record its most striking features in full, for which purpose we extract liberally from a sketch written by Col. WILLIAM B. SLAUGHTER, already made public through the newspaper press.

Mr. STRONG received his earliest educational instruction from his mother. After eight years spent in primary schools, he entered the freshmen class of Middlebury College, Vermont. Three years after, he joined the senior class of Dartmouth College, where he graduated in 1829. Having graduated, he entered the law office of RODNEY C. ROYCE, and at the expiration of one year, he entered the law school at Litchfield, Connecticut, where he remained one year, when, after a thorough examination in open court, by the judges and members of the bar, he was admitted to practice in all the courts of Connecticut. In 1833, he received the appointment of deputy surveyor general of the state of Vermont. In 1835, when the Democratic and Whig parties were being organized for the approaching presidential election, although Mr. STRONG's father and numerous relatives were all Whigs, yet the leading measures of JACKSON's administration met his approval, and he cut loose from his political associations, and supported Mr. VAN BUREN for the presidency. In 1836, while at Washington City, he was engaged by Governor HUBBARD, and others, to invest large sums of money in government lands, and, under their directions, he went directly to Mineral Point, in Wisconsin, and invested the funds intrusted to him. Upon his arrival, he opened a law and

land agency office, and has made that place his home ever since. In 1837, Mr. STRONG received an appointment from General LYTLE for surveying government lands on the west side of the Mississippi river, in what is now Jackson and Dubuque counties. In 1838, he was appointed United States attorney for the territory of Wisconsin, which office he held three years, discharging its duties with punctuality and ability, and acquiring high professional distinction. In 1841, Mr. STRONG was elected a member of the legislative council, to fill a vacancy, and in 1842, was re-elected for the full term of four years, in which he took a prominent and active part on all questions brought before it, and was twice elected as its president. He was elected as one of the delegates to the Constitutional Convention, which assembled in Madison in 1846, and was one of the most prominent and conspicuous members in that body.

He was chairman of the committee on suffrage and elective franchise, a member of the committee on the constitution and organization of the legislature, president *pro tem.*, and served in so many capacities on special committees and routine business, that a bare enumeration would be tedious. Throughout all the proceedings his work is visible. He was a leader among the master minds who put an indelible impress on the organic law of the present state in all its most distinguishing and liberal features.

Owing to causes that the present generation would scarcely understand, the proposed constitution failed of ratification by a majority, when submitted for approval. Another convention was chosen in 1847, whose chief work was one of revision and amendment. It completed its labors on the 1st of February, 1848, and the constitution was finally adopted in March. In November, 1849, Mr. STRONG was elected to the assembly, and, at the meeting of the legislature, in 1850, was chosen speaker. The session lasted thirty-four days, being the shortest ever held in the state, mainly due to the promptness and ability of the

speaker. In 1856, he was again elected a member of the assembly from Milwaukee.

In 1852, he devoted much of his time in aiding the construction of the La Crosse and Milwaukee Railroad, and, afterwards, in constructing the Mineral Point Railroad. He drew up the charter of the La Crosse Railroad, and its adoption was due chiefly to his efforts. He was elected its first president, and continued in its management until the financial disaster of 1857. He was also president of the Mineral Point Railroad which he materially benefited by successful arrangements with the Illinois Central and Galena and Chicago Railroads. Mr. STRONG spent six years in promoting the success of these enterprises, which withdrew him from his profession of the law, and it required years of laborious effort to regain what he had lost.

Nature endowed Mr. STRONG with rare gifts, among them a vigorous physical constitution, an intellectual ability of a high order, logical, discriminating and comprehensive. He is an able debater, a close reasoner, an impressive, and occasionally an eloquent speaker. He has acquired an enviable reputation at the bar, and in the legislative councils, in which bodies, as a parliamentarian and presiding officer, he has had no superior in the state. But his knowledge of the principles of law, his calm deliberation, his logical power and analytical acumen, would better fit him for the bench than the bar. There is no public position, however, that he could not fill with credit and usefulness. He is the very embodiment of mental and physical force,— and has ever been a natural leader among men from the necessities of his organization — a position always conceded from the beginning of his career. Few, indeed, have realized as wide and varied an experience in pioneer life. None are more deserving of popular favor and trust, or would confer greater honor upon the state.

HON. PATRICK TOLAND.

PATRICK TOLAND was a pioneer settler in Washington county, residing at Toland's Prairie. He was born in 1801, and was by profession a farmer. He was elected to the Constitutional Convention in 1846, and served on the committee on finance, taxation and public debt. While not very conspicuous as a member, he was highly respected for pleasant demeanor, and strong native common sense. He died several years ago, but the date is unknown.

HON. JOSIAH TOPPING.

The ancestors of Mr. TOPPING came from England. His parents settled in Charleston, Montgomery county, New York, in 1796, at which place JOSIAH TOPPING was born, February 16, 1798. He received a common school education, and became a farmer. He was married on the 29th of April, 1820, to Miss POLLY YOUNG, with whom he lived fifty three years. She died July 2, 1873. For some years the parties resided in Schoharie county, New York. On the 3d of January, 1840, the family located in Sharon, Walworth county, Wisconsin, at a point known as Topping's Corners. Mr. TOPPING erected the first frame house in the township, and the first town meeting was held at his house. There were but six voters present. Messrs. H. S. YOUNG and J. H. TOPPING petitioned to have the town named Sharon.

In 1846, Mr. TOPPING was elected as one of the representatives from the county of Walworth in the first Constitutional Convention. In that body, he served on the committee on the militia. He was not a man of many words, but occupied a respectable position in that body of very able men.

Mr. TOPPING is still living (1880), being over eighty-three years of age, and is a respected citizen of Walworth county.

HON. PETER H. TURNER.

PETER H. TURNER was born in the town of German Flats, Herkimer county, New York (the location is now called Illion), on the 13th of April, 1813. His father was JOHN TURNER, and the maiden name of his mother was MARY ELLIS. The ancestry of the family is recorded in unbroken line from 1664, at which time it was already settled in America. His education was common school. He resided at several places in New York, employed as deputy clerk of court, or in mercantile business until 1840, when he removed to the territory of Wisconsin, settling in the town of Genesee, Waukesha county, and engaged in farming. In 1842, he removed to what is now the town of Palmyra, Jefferson county, and followed the same pursuit. In the spring of 1846, he embarked in mercantile business, following the same until 1857, when he removed to Madison and engaged in the foundry business. In 1871, he removed to Turner county, Dakota territory, his present permanent residence.

He was married December 26, 1836, to LYDIA ANN SMITH, of Adams, Jefferson county, New York, who died at Palmyra, Wisconsin, March 25, 1858, after which he was again married to SARAH H. SMITH, sister of his former wife. Previous to his election as member of the Constitutional Convention in 1846, Mr. TURNER had held several minor but important public positions. In that body he served upon the committee on the schedule for the organization of state government. In 1848, he was elected to the first legislature under the state organization, and in 1850, as senator; was admitted to the bar in 1849; filled the office of postmaster at Palmyra for about eight years, and subsequently, while a resident at Madison, was an alderman, president of the common council, deputy clerk, treasurer, county commissioner, etc.

It will be seen from this brief sketch that the career of Mr. TURNER has been a varied and wide one. He first

aided in making the organic law of the state and then took a leading part in its first legislatures in organizing its various departments, giving them the form, and endowing them with the vital force they have ever since retained. In every position, public or private, his career has been without stain or reproach; his honesty and integrity ever being far above either calumny or suspicion; his record in all senses having been honorable, useful, and worthy of commemoration as an example to the future.

HON. JOHN H. TWEEDY.

JOHN H. TWEEDY was born in Danbury, Connecticut, November 9, 1814. After a preliminary education, he entered and graduated at Yale College, and adopted law as a profession, in the practice of which he speedily obtained high distinction. As a public man and prominent citizen he has been widely known from the beginning of territorial government. He located in Milwaukee in October, 1836, and has ever since resided there. In 1841 and 1842, he was elected a member of the territorial council. In 1846, he was elected to the Constitutional Convention from Milwaukee county, serving in that body on the committee on the constitution and organization of the legislature, and also took a conspicuous part in the general proceedings. In 1847, he was elected territorial delegate to congress, being the last incumbent in that position. After state organization he was the first whig candidate for governor, but as the democratic party was then largely in the majority, he was defeated by NELSON DEWEY. In 1853, he served as a member of the assembly. Since that time, Mr. TWEEDY has retired from public life, and, unless locally, has taken no special part in political affairs.

During his whole career, Mr. TWEEDY has been noted for great and conspicuous abilities, profound learning, sterling integrity and unselfish interest in all enterprises for the promotion of the general welfare. Naturally a student,

of retiring disposition and modest merit, he has usually preferred quiet and retirement to publicity, and only exercised his great powers of oratory and persuasion, on pressing and important occasions. Wisconsin has had no worthier or more upright citizen.

HON. DON A. J. UPHAM.

The ancestral record of the family of Hon. DON ALONZO JOSHUA UPHAM in America dates from about the year 1680, JOHN UPHAM, founder of the family, immigrating from the west of England, having settled in Malden, near Boston, Massachusetts, in that year. From thence the descendants, in the lapse of years, located from time to time in other colonies. JOSHUA UPHAM, his father, was born in the valley of Connecticut river, upon a farm which had been in the possession of the family for over a century, and subsequently removed to Vermont, where the subject of this sketch was born in Weathersfield, Windsor county, May 1, 1809.

As a preparatory to a legal profession, which he had chosen, he was first placed in a high school at Chester, Vermont, and subsequently in one of higher grade at Meriden, New Hampshire, after which he entered the sophomore class at Union College, New York, and graduated therefrom with the highest honors in 1831. He was soon after appointed assistant professor of mathematics in Delaware College, Delaware, and three years later he entered as a law student in the office of Hon. JAMES A. BAYARD, of Wilmington; was admitted to the bar in 1835, and commenced law practice, in connection with editorial labor.

In 1837, he visited the west, and after a lengthy examination of the new country, located in the village of Milwaukee, Wisconsin territory, whose settlement had commenced the previous year, and where he resided until his death, July 19, 1877. He was married, October 20,

1836, to ELIZABETH S. JAQUES, of Wilmington. The family, consisting of the mother, two sons, — Maj. JOHN J. UPHAM, U. S. A., and HORACE A. J. UPHAM, attorney-at-law, — and three daughters, now Mrs. GEORGE H. RAYMOND, of Smyrna, Delaware; Mrs. H. B. TAYLOR, of Chester, Pennsylvania; and Miss S. M. J. UPHAM, of Milwaukee, all survive him.

The public career of Mr. UPHAM was marked by the usual variety and vicissitudes of pioneer times. In 1833, he served for a season as assistant editor of the Delaware *Gazette*. In 1835, he was elected city attorney of Wilmington, and from 1834 to 1837 was editor and proprietor of the *Gazette and Watchman*, which connection continued until his removal to the west. In 1840–1, he was elected a member of the territorial council of Wisconsin, in which position he served for two years. In 1843, he was elected prosecuting attorney for Milwaukee county, and in 1846 was elected a member of the first Constitutional Convention, by which body he was chosen as its president. In 1849 and 1850, he was elected mayor of the city of Milwaukee. In 1851, he was nominated by the democratic party as candidate for governor of the state, but was defeated by a small majority. From 1857 to 1861, he was United States district attorney for the district of Wisconsin. Owing to failing health, he retired from professional life in 1863, and thereafter took no active part in public affairs.

Mr. UPHAM was, by inclination and habit, a student,— preferring the quiet of study and professional labor to a public career. His ambition was honorable, upright and pure. He accepted official position from necessity rather than choice, neither seeking public honors nor avoiding them when voluntarily tendered by his fellow citizens. In all relations of life, his highest aim was an honest and conscientious discharge of duty. He was neither depressed by defeat nor elevated by success, but kept the even tenor

of his way, and was ever alike esteemed by both friends and political opponents. His record, in all senses, was worthy of the pioneer era of Wisconsin history.

HON. JAMES R. VINEYARD.

JAMES R. VINEYARD was born in Kentucky in 1804, from whence he removed at an early date to the lead region of Wisconsin, and adopted the occupation of a miner. His after public career was in many respects unhappy, even if brilliant and useful. In 1838, he was elected a member of the territorial council, in which he served until 1842. Most unfortunately, on the 11th of February of that year, in an altercation with Hon. CHARLES C. P. ARNDT, of Brown county, which occurred in the hall of the house, he shot and killed his opponent. The melancholy event created widespread sensation and horror in most portions of the west, but on trial he was acquitted by a jury. In 1846, he was elected a member of the Constitutional Convention from Platteville, Grant county. Not reaching the capital until some days after the session had commenced, he was not appointed upon any of the standing committees, and took no important part in any of the proceedings. In 1849, he was elected a member of the assembly, but the event that clouded his life was a bar to special prominence. In 1850, he moved to California, and was elected to its state senate for several terms, and also acted as Indian agent for several years. He died about 1872.

Mr. VINEYARD possessed great energy and force of character, was distinguished for his abilities, and ever enjoyed great personal popularity at his home. An act done in a moment of passion, not only horrified the people of the territory, but was ever after a source of keenest remorse to himself. Under different and more favorable circumstances, he might have become one of the most prominent men in Wisconsin. His good qualities as a friend and citizen were generally and widely appreciated; but nothing

could efface the memory of his great offense. It still lingers in the minds of all pioneer settlers.

HON. GARRETT VLIET.

GARRETT VLIET was born in Independence, Sussex county, New Jersey, January 10, 1790. He received a good practical education, and was by profession a farmer. In June, 1835, he immigrated to Wisconsin, locating upon a farm which is now in the heart of the city of Milwaukee, a few feet front having a greater market value than the original price paid for the whole. In 1846, when elected a member of the Constitutional Convention, for Milwaukee county, he resided on his place, in a plain, substantial dwelling house, with barn and outbuildings, and surrounded by a fine orchard. The part he took in the proceedings of that body was not especially prominent. He was noted as a gentleman of kind impulses, generous heart, ever disposed to benefit his friends, and to aid public enterprises, and had none of the sordid, calculating selfishness and grasping rapacity so characteristic of the present time. Throughout his whole career he discharged every duty of true manhood, public trust and patriotism in a manner worthy of a pioneer settler, who ever held that merit, not money, made the man. He died August 5, 1877.

HON. SALMOUS WAKELEY.

SALMOUS WAKELEY was born in New Milford, in Litchfield county, Connecticut, March 17, 1794. His ancestors were of Welsh descent, and had been settled in New England for some generations. Although not publicly distinguished, they were characterized, generally, by physical vigor and hardihood; by industry, practical good sense, sagacity, and integrity.

At a very early age he was placed on a farm, and, until about nineteen years old, led a life of hard and steady labor on the stony and sterile soil of his native state. He

was reared in the midst of the puritanical influences which, at that day, still lingered in the region. His descriptions, in after years, of the country and its peculiarities, and the poverty and forbidding qualities of its soil, were peculiarly graphic and racy. Before attaining manhood, he also learned the trade of shoemaking; and, during most of his life, was engaged in the manufacturing of boots and shoes, or in farming; giving persistent and steady industry to whatever he had in hand.

He entered life with a very limited education; such only as he had acquired by occasional attendance in winter, at the common schools. But from his intelligence, and his interest in practical affairs, he became a well read man, and well informed citizen in matters of public concern. He had, too, a rare power of defending his views by native logic, and a comprehension which went to the "pith and marrow" of the matter.

He emigrated to New York in early life; and, in 1818, he married HANNAH THOMPSON, also a native of Litchfield county. She was a collateral descendant of JONATHAN EDWARDS, of Connecticut; and was a woman of uncommon mental gifts, of most exemplary character, and domestic virtues.

He resided in New York, first in Cortland county, and afterwards in Erie county, until the spring of 1836, when he emigrated to Lorain county, Ohio, where he resided until 1843. To this time, he had mingled not much in public affairs, beyond being a somewhat prominent local politician, and holding minor offices of trust. His life was one of physical labor; and his time was given conscientiously to the care of his family, and provision for such education of his children as was within his slender means.

In the spring of 1843, he removed to Whitewater, Wisconsin, where he resided until just previous to his death. Whitewater, at that time, was a new village of about eight hundred inhabitants; its enterprising people, the fertile

region surrounding it, and the railroad which came eight years afterwards, have made it one of the pleasantest and most prosperous inland towns of the state.

In 1846, opposing tickets were nominated by the democratic and whig parties for delegates from Walworth county to the Constitutional Convention. By general consent, Mr. WAKELEY was placed on the democratic ticket, which was successful; his own majority being nearly two hundred. Unfitted, or at least disinclined, from want of previous training, to take a conspicuous part in the proceedings of this body, in which he served on the committee on a bill of rights, yet his sturdy good sense, excellent judgment and patent sincerity, made him one of its safest and most trusted counselors, and secured for him the high respect of its members.

Subsequently, he represented the Whitewater assembly district in the sessions of 1855 and 1857, with credit, and to the entire satisfaction of his constituency. He was for several years chairman of the board of supervisors of Whitewater, and, as such, an influential member of the county board.

In private life and in public life, so far as he had part in it, he was a man of marked individuality and force of character. In both he had decided convictions and governing principles of conduct; and, in both, inflexible integrity was always his guide. His standard of honesty and honor was a high one; and he exacted of his children and of all with whom he had influence, a rigid adherence to it. Caring little for polish or conventional formalities, he was direct, sincere, simple and just in his life and his relations with others. A man of rugged character and virtues, he belonged to that class of men for having more of which the world would be the better. Without classical culture or erudition, he had great native sagacity, and an innate gift of reasoning which seldom failed to carry him to correct conclusions.

In politics, as upon other questions of general interest, he had positive and pronounced views. In early and middle life, he was an earnest and an active democrat. In the campaign of 1828, he was one of only seven supporters of JACKSON in the town of his residence; and then, as in 1832, was one of the old hero's staunchest advocates. He remained in this political fellowship until the free soil and slavery questions developed the republican party, with which he then united, and afterwards continued to act.

His children were three sons and two daughters; two of the former, ELEAZER WAKELEY, now of Nebraska, and CHARLES T. WAKELEY, of Madison, having been well known lawyers of this state.

On the 12th of January, 1867, he died of pneumonia, at the residence of his son, E. WAKELEY, in Madison. Until the time of this illness, being then nearly seventy-three years of age, he had retained unusual mental clearness and physical vigor. He died, as he had lived, with quiet fortitude. He was buried at Whitewater, by his neighbors and friends, in the old ground where two of his children had preceded him, and where his venerable widow has since been borne.

HON. JOSHUA L. WHITE.

JOSHUA L. WHITE was a Virginian by birth, born in 1814, and was a merchant by occupation. He was elected to the first Constitutional Convention from White Oak Springs, Iowa county, and served on the committee on finance, taxation and public debt. He was an affable and courteous gentlemen, of fine culture, and was highly respected by all. Mr. WHITE is now a prosperous farmer in Winnebago county, Illinois; and lives on his farm, a short distance below the city of Rockford.

HON. NINEAN E. WHITESIDES.

NINEAN E. WHITESIDES was a native of the state of Illinois, born in 1819, and was by occupation a miner. His parents were among the earliest settlers in the west, and the family acquired marked prominence in pioneer times. In 1846, he was elected to the Constitutional Convention from Belmont, Iowa county, and served in that body on the committee on executive of the state. In 1847, he was elected a member of the territorial council, which position he held until the state was organized in 1848. He was then elected a member of the first state assembly, and was chosen speaker of that body. Soon after, he removed to California, where he resided until his death, which occurred many years ago.

In personal characteristics, Mr. WHITESIDES was noted for the possession of strong will, intense personal and mental activity, tireless energy, and abilities of a high order. He was genial and courteous by nature, humorous and fun-loving from impulse and buoyant spirits, and took his place naturally as a leader in whatever position or association he appeared, either political or social.

HON. VICTOR M. WILLARD.

VICTOR M. WILLARD was a native of the state of New York, born in 1813, and was by profession a farmer. He was elected from Racine county to the Constitutional Convention of 1846, and served in that body on the committee on the act of congress for the admission of the state. Otherwise, he took no prominent part. He stood high among his associates, as an estimable and cultivated gentleman, of sterling merit and worth. Mr. Willard was elected to the first state senate from the county of Racine, and served two years. In all relations of life he was valued as an estimable gentleman. No full record of his subsequent career has been obtained; but it is understood he died several years ago.

HON. JOEL F. WILSON.

Hon. JOEL F. WILSON was the son of ERASTUS and THEODOCIA NOBLE WILSON, of Hebron, Washington county, New York; was born at Rupert, Bennington county, Vermont, February 18, 1801. He received a common school education, and became a mill-wright, following this business many years, and the latter years of his life, he was a farmer. He was married at Hebron, New York, April 8, 1824, to Miss ELECTA MUNSON, daughter of Captain JOHN MUNSON, of the Revolutionary war. In 1844, he settled at Waukesha (then Prairieville), and in the spring of 1845, removed to Hartford, in Washington county. He was elected, in 1846, to represent that county in the first Constitutional Convention, and in that body served on the committee on the act of congress for the admission of the state. While performing no part of special distinction, he was justly regarded as a useful man and was highly respected. He served in his county as chairman of the board, and as a justice of the peace. He died at Hartford, November 29, 1860. A friend writes that he was an expert workman at his trade, and made himself very useful to the first settlers of his town in selecting their homes, laying out roads, and in doing such work as is necessary in settling up a new country.

BIOGRAPHICAL SKETCHES.

CONVENTION OF 1847-48.

BIOGRAPHICAL SKETCHES.

CONVENTION OF 1847-8.

HON. SAMUEL WOTTON BEALL.

[Mr. BEALL was a member of both Constitutional Conventions. For sketch, see page 43.]

HON. JAMES BIGGS.

JAMES BIGGS was born in the northwest territory, but the name of the place is not given. He was 48 years of age when elected to the second Constitutional Convention, from Farmers' Grove, Green county, and was by profession a farmer. He took no important part in the proceedings of that body, but nevertheless ranked among its most worthy and intelligent members. He was a gentleman of fine culture and first class abilities, well read, of large and varied frontier experience, a sound adviser, and steadfast friend. Ill health alone prevented his taking a conspicuous position. Of his career after the adjournment, no record has been received. He died many years ago.

HON. CHARLES BISHOP.

All efforts of the committee to ascertain the present whereabouts of Mr. BISHOP, if living, or of his relatives, if deceased, having failed, they take the liberty of furnishing so much of information as is within the personal knowledge of one of its members. The father of Mr. BISHOP was a large land holder and resident of Huron county, Ohio. In 1841, the son was a room and class-mate of the writer in Western Reserve College, at Hudson, Ohio. After a preliminary course of study, he entered Cambridge

Law School, Massachusetts, and there graduated. In 1845, he located at Dodgeville, Wisconsin, and tried mining on his own account, less for gain than to test the accuracy of scientific theories as to the origin and repletion of metallic veins. Shortly after the adjournment of the Constitutional Convention, he left the state.

He was elected a member, in 1847, from Iowa county, and served as a member of the committee on banks, banking and incorporations, as well as upon several select committees. Of peculiarly modest and retiring disposition and habits, he took no very prominent part in the proceedings; and yet but few of his age more thoroughly appreciated the importance of the work in hand, or brought to it more intelligent and thoughtful investigation, as the ripe fruit of cultivation and study. Personally and socially, among intimate acquaintances, he was in all senses genial and companionable, a trusty friend, scrupulously honest, and in all ways deserving. No more faithful servant ever represented a constituency than CHARLES BISHOP. His brother miners, in electing him to office, correctly appreciated his sterling worth as a man and citizen.

HON. GEORGE W. BROWNELL.

Ex-Governor WILLIAM R. MARSHALL, of St. Paul, Minnesota, has kindly furnished us with the only details we have been able to obtain of the life and career of GEORGE W. BROWNELL, who represented the St. Croix district in the second Constitutional Convention. As the sketch so fully indicates the usual course, if not the end, of pioneer life in the west, we feel warranted in making liberal use of the information furnished. He says:

"I first met Mr. BROWNELL in the Galena and Wisconsin lead mines in 1842, and came to this upper country with him in 1847, and of course knew him intimately and well. He was in many respects a remarkable as well as good man, one of the best and truest I ever knew. He

was, I think, a native of Onondaga county, New York, and learned the trade of wagon and carriage maker in Syracuse. He came west about 1834, and passed some years in St. Louis and the Missouri lead mines. About 1840, he was connected with H. H. HOUGHTON, in the editing and publishing of the Galena *Gazette*. He had very considerable scientific attainments as a geologist, mineralogist and chemist, and spent one or two winters in Cincinnati, about this period, in the pursuit of scientific studies and practical experiments — among other things, making some discoveries in electricity, that attracted much attention at the time, especially from Prof. HENRY, of the Smithsonian Institute. Almost too fond of scientific investigation for a practical miner, he nevertheless led the way to some of the most valuable mineral discoveries in the Galena district, the chief profits of which were secured by others.

In 1846, he went to the copper region of Lake Superior, in the interest of a Boston company, of which CALEB CUSHING, RUFUS CHOATE and others were associates. Subsequently he located some mining permits at the Falls of St. Croix and on Kettle river. As these mining claims conflicted with mill and lumbering claims, they led to a consolidated company for both purposes, of which ROBERT RANTOUL, Jr., of Boston, was president. Mr. BROWNELL was made agent of both the mining and land department of this company, whose operations spread over several years. But the financial outcome was not successful and led to long and expensive litigation afterwards, especially with Mr. HUNGERFORD, of St. Louis, which, at the time, attracted wide public attention, and ended in killing the prospects of St. Croix Falls as a coming manufacturing city.

In 1847, Mr. BROWNELL was elected to the Constitutional Convention from the St. Croix district, at that time embracing all of Minnesota east of the Mississippi river,

and extending north from the Chippewa river to the 49th parallel. His special labor in the convention was to secure a boundary line for northwest Wisconsin along or near the Chippewa river, crossing thence to Montreal river and Lake Superior, which, had it been successful, would have secured to Minnesota all the frontage which Wisconsin now has on the lake, as well as the entire valley of the St. Croix. This proposition he supported in a speech of very marked ability, and by a report of equal merit; but the boundary line failed of approval. But little was known of this section of the west at this period, by the mass of members. He was by his location almost isolated from all other districts. To even consent to the lake and river St. Croix as a boundary, was at the time looked upon as far too large a concession; and not a few of the convention held steadfast to the conviction that, under the ordinance of 1787, all that was left of the northwest territory necessarily became a part of Wisconsin after the designated number of other states had already been created. Undoubtedly, the first constitution submitted was badly injured in public estimation by fixing the line fifteen miles east of the most easterly point of Lake St. Croix, so that the second convention was disposed to claim too much rather than too little. In the end, probably, as just a line was agreed upon as could well have been selected. Had the favorite purpose of the time been successful, and all the country east of Lake Itasca been included in Wisconsin, it is now appreciated that the state would have been geographically misshaped, while it would have been impossible to have organized Minnesota in a form to meet the necessities and convenience of its citizens.

In 1847, Mr. BROWNELL was married to Mrs. DUNCAN, a widow lady, resident in Galena, and in 1851, he removed to that place, embarking in the grain trade along the river, northward, for about ten years, a branch of business in which he was almost a pioneer. In 1861, he experi-

mented for a season in cotton planting, near Vicksburg, Mississippi, but the enterprise was not successful. After the war of the rebellion, he made a trip to Colorado, and made investments in mining property. While on a trip out, in 1866, by the Smoky Hill route, the stage in which he was riding was attacked by Indians. He and another passenger alighted, to resist the attack. He was armed with a Henry rifle, and, if properly supported, would probably have been saved; but most of the passengers remained in the coach, and the driver, getting scared, whipped up his team, and left poor BROWNELL and his companion to their fate. They were speedily overpowered and killed, and their bodies, soon after recovered, were shockingly mutilated.

General GRANT, who personally knew and highly esteemed Mr. BROWNELL, issued appropriate and feeling orders to the military commander of the nearest fort — Fort Wallace — to care for the remains, and they were forwarded to Galena for burial. The career and leading events in the western life of Mr. BROWNELL are so characteristic of pioneer times, that we have esteemed them worthy of this somewhat lengthy record.

ALMERIN M. CARTER.

ALMERIN M. CARTER was born in Litchfield county, Connecticut, October 4, 1814, and was the son of GUY and SAREPTA (MARSHALL) CARTER. The CARTER family is of English descent, and settled in Litchfield county, Connecticut, as early as 1660. Their descendants are quite numerous, and are found in all parts of the country. They were imbued with Puritanic principles, and were generally Baptists and Presbyterians. The father of the subject of this sketch removed to New York with his family in 1815, and settled in Oneida county, and engaged extensively in agricultural pursuits. He was for many years one of the trustees of the Madison University, a

Baptist institution of learning, located at Hamilton, Madison county, New York. ALMERIN was the eldest of the family of three sons and two daughters. He received a thorough academic education at Hamilton, after which he determined upon farming as his occupation for life, and, in 1842, settled in Johnstown, Rock county, Wisconsin, where he has ever since resided. He has been a successful tiller of the soil, and from its results has accumulated a competency for life. Though not ambitious for official station, Mr. CARTER has been frequently chosen, by his fellow citizens, to fill important positions, and he has always discharged the duties imposed upon him with honor to himself and with benefit to his people. He was one of the first commissioners of Rock county. In 1847, he was elected as one of the representatives of that county in the convention that framed the constitution of the state. He was an industrious, working member of that body, serving on a committee of fifteen on general business of the convention, of which the late BYRON KILBOURN was chairman. The energy of character, and the practical bearing of his mind, rendered Mr. CARTER a valuable member of this committee. On the floor of the convention, he was not a talking member, but his votes always evinced soundness of judgment. In 1868, just twenty years after the adoption of the constitution he had helped to frame, Mr. CARTER was elected to represent the people of his district in the assembly, and was made chairman of the committee on corporations, a position he filled with entire satisfaction to his people. Since that time, he has declined accepting any official position, and devoted himself to the enjoyments and comforts of his home in Johnstown, where he is highly respected as one of the oldest and best citizens of the town.

For many years, Mr. CARTER was a member and secretary of a society for the suppression of horse stealing, an organization productive of much good in the state. He is a member of the Johnstown Fire Insurance company;

has passed through the chairs of the fraternity of Odd Fellows; is a prominent granger; and in all things, is ardently attached to such works as promote truthfulness, justice and goodness. In politics, he is a consistent republican — being a whig previous to the organization of the republican party. He was one of the organizers of the Congregational society in Johnstown, and has ever lived a quiet, unostentatious, Christian life.

Mr. CARTER has been twice married. His first wife was Miss DOLLY A. WADHAM, of Goshen, Connecticut, to whom he was united in marriage September 26, 1836. She died in 1847, leaving two children, ELLEN and CHARLES, who are now both comfortably located in life. His second wife was Miss SARAH WEDGE, of Warren, Connecticut. By this marriage, there is one daughter, FRANCES W., a young lady of rare accomplishments, being a superior musician.

HON. SQUIRE S. CASE.

SQUIRE S. CASE was born at Hillsdale, Columbia county, New York, September 27, 1801. In childhood, his parents removed to Chautauqua county, then on the western borders of civilization. In the settlement of a new country, hard work and frugality were essential. The father at once engaged in farming and lumbering, and the boy was active in aiding in the work, and here laid the foundation of the habits of industry that remained with him through life, and were of essential service to him. At the age of twenty-one our subject removed to Buffalo, and became the proprietor of the "Farmers' Hotel" in that city, in which he continued for eleven years. He then became a contractor for the construction of public works, and was successful for many years; but finally lost most of his property in 1842, by the suspension of work on the Erie Canal, in which he was largely interested. During his residence in Buffalo, Mr. CASE served many years as a

member of the common council of that city. He also represented Erie county in the legislatures of 1837 and 1842. He served in the patriot war, under Gen. SCOTT, as a colonel of the 208th regiment of the New York militia.

Like most persons of that day who had met with reverses in the loss of property, in 1842, Mr. CASE took up his line of march for the then great west, and located on a farm in Waukesha county, in Wisconsin territory, in what is now the town of Merton. While a resident of this place, in 1847, he was elected as one of the delegates to the Constitutional Convention that assembled in Madison on the 15th of December of that year. In this body, Mr. CASE was a careful, painstaking member; was a constant observer of events, and sound in his judgment on matters that came before that body. He was not a speech-maker, but an excellent worker on committees. He was highly respected by his fellow members.

In 1861, Mr. CASE left his farm and settled in Waukesha village, where he established himself in the construction of railway cars, building the first ones used on the Milwaukee and Prairie du Chien railroad, at present a portion of the Chicago, Milwaukee and St. Paul Company. He was active in obtaining the right of way on the La Crosse road, and, in 1857, took up his residence in Portage as station agent on that road. He remained in active business in Portage till 1868, when he removed to Mauston, and being in advanced years, and his health being poor, he has since refrained from active business or politics. He lived a respected citizen, and a sincere and zealous member of the Episcopal Church. He was a man of sterling worth.

Mr. CASE died at Mauston, March 30, 1878, in the seventy-seventh year of his age.

HON. ALFRED L. CASTLEMAN.

ALFRED L. CASTLEMAN was widely and favorably known to the territory of Wisconsin, at an early period in

its settlement. He was born in Kentucky, in 1807, and by profession was a physician, in which he attained much eminence. He settled in Milwaukee in 1835, and soon after removed to Waukesha county. In 1847, he was elected to the Constitutional Convention, in which he served on the committee on banks, banking and incorporations, and otherwise took quite an important part in the general proceedings. After state organization, he served for many years as a regent of the State University, during which he was elected to a professorship, which, however, he declined. During the great rebellion, he served as surgeon and physician to the fifth regiment, for several years, and in this service he contracted a disease, from which he never fully recovered. During the time Dr. CASTLEMAN was in the war, he kept a diary, from the organization of the army to the close of the campaign in Virginia, about the first of January, 1863. In 1863, this diary was published in book form, under the title of "The Army of the Potomac behind the Scenes." In this volume he expressed very frankly his views of men and measures, showing favor to no one. It affords spicy reading, and found a fair sale. About 1873, he removed to California, in the hope of finding relief, and died at Oakland, August 22, 1877.

He was a gentleman of distinguished abilities, highly cultivated, chivalrous, honorable, and of high and noble purposes and aims. The duties of his profession ever kept him from a public career, which he would have graced and ennobled. In his death, Wisconsin lost one of its best and most loved citizens.

HON. WARREN CHASE.

[WARREN CHASE was a member of both Constitutional Conventions. For sketch, see page 61.]

HON. ALBERT G. COLE.

ALBERT G. COLE was a native of Adams, Jefferson county, New York. He received an academic education;

studied law, and was admitted to the bar in New York city in 1840. He commenced practice in Mexico, New York. He was married, October 14, 1840, to HARRIET L. CLARK. In 1846, he came to Wisconsin, and located at Burlington, Racine county; resided there till 1863, when he removed to Kenosha, where he still lives.

Mr. COLE has served as justice of the peace for many years. In 1847, he was elected from the county of Racine, as a member of the second Constitutional Convention, and in that body served on the committee on the judiciary. He was not given much to talk in the convention, but when he did speak, he confined himself to the subject under consideration, and was pointed and clear in his remarks. He is a man of pure character, upright and honest in all things, and highly respected by all who know him. His retiring and modest habits have caused him to seek home life, rather than to enter into the turmoils of official position to any extent.

HON. ORSAMUS COLE.

ORSAMUS COLE was born in Cazenovia, Madison county, New York, August 23, 1819. His ancestors, on both sides, were English; and both grandfathers served in the colonial army. His father's name was HYMENEUS COLE, and his mother's name was SARAH SALISBURY. He received a liberal education, graduating from Union College in 1843. After a thorough preparation for the practice of the law, he proceeded westward, and after spending a few months in Chicago, located at Potosi, Grant county, in 1845, where for several years, in company with the late WILLIAM R. BIDDLECOME, he at once entered upon an extensive and lucrative practice in his profession. In 1847, he was elected as one of the representatives of Grant county to the Constitutional Convention, in which body he served with marked fidelity and ability. He was a member of the committee on executive, legislative and administrative provisions, and was one of the most faithful and

hard working members upon it. Mr. COLE was one of the youngest members of the convention, and his proverbial modesty caused him to shrink from taking a leading part in the debates, for some time; but he soon took rank among the ablest and clearest debaters in that body of able men. His cautious habits made him a most valuable man in forming the organic law of the state; and at the close of the session, but few men stood higher in the estimation of his fellows than did ORSAMUS COLE. He had taken prominent part in the shaping of all the more important articles of the constitution.

In the presidential campaign of 1848, when ZACHARY TAYLOR was the whig candidate, opposed by LEWIS CASS, as the democratic candidate, and by MARTIN VAN BUREN as the free soil candidate, ORSAMUS COLE was selected as the standard bearer of the whig party, in the second congressional district. His opponents were A. HYATT SMITH, democrat, and GEORGE W. CRABB, free soiler. The district then comprised the entire western half of the state; embracing a portion of the present first district, most of the second, the whole of the third and seventh, and a large portion of the eighth. After an exciting contest, in which Mr. COLE thoroughly canvassed the district, the result showed his triumphant election; and on the 4th of March, 1849, his term commenced as a member of the thirty-first congress. In this body of men, Mr. COLE took a prominent part, upholding the principles of the whig party with ability and zeal. On the death of President TAYLOR, and the succession of Mr. FILLMORE, Mr. COLE remained true to the anti-slavery wing of his party, opposing with much vigor the passage of the compromise measures, embracing the odious fugitive slave act. On retiring from congress in 1851, Mr. COLE entered vigorously upon the practice of his profession in Potosi, then one of the active business towns of southwestern Wisconsin. In 1853, Mr. COLE was nominated as the whig candidate for attorney general;

and on the consolidation of the whig and free soil parties in that year, upon a people's ticket, he was placed upon this ticket for attorney general. The entire ticket was defeated. In the winter of 1855, the republican party then being fully organized, ORSAMUS COLE was selected by that party as its candidate for associate justice of the supreme court, in place of SAMUEL CRAWFORD, whose term was to expire in the following June. Judge CRAWFORD was a candidate for re-election, and the contest was an animated one, resulting in the election of Mr. COLE. In the summer of 1855, Judge COLE took his seat upon the bench of the supreme court of Wisconsin, which position he has ever since held, being re-elected in 1861, 1867, and 1873, for terms of six years each, and in 1879 re-elected for a term of ten years, from the first of January, 1880. It will thus be seen that Judge COLE has served twenty-five years as one of the judges of the supreme court; has just entered upon a new term of ten years, and it would be useless to say that he has discharged the duties of the high position ably and faithfully, as his several re-elections by the people, is the best possible evidence of that fact. He has been a faithful expounder of the constitution he took so active a part in perfecting in 1847 and 1848.

In private life Judge COLE is an educated, refined and genial citizen. In June, 1848, he was married to Miss JULIA A. HOUGHTON. There is but one living child of this union, SIDNEY H. COLE, who is now a member of the firm of WEST & Co., dealers in books and stationery in Milwaukee. Mrs. COLE was a most estimable lady, discharging her full duty as a wife, mother and friend till the date of her death, which occurred on the 17th day of December, 1874. Judge COLE was married a second time, in Madison, on the first day of January, 1879, to Mrs. ROBERTA C. GARNHART, a lady of rare accomplishments.

It is very rare indeed, that a man has passed through life in a field of occupation so well adapted to his mental

construction as has been the case with Judge COLE; and it is equally rare, that a man has held important official positions so long as he has done, without having made some personal effort to obtain them. This is a very marked case of the office seeking the man. He certainly did not intrude himself into office. The acquaintance of the writer with Judge COLE has been long and intimate, and what is here written is from absolute knowledge of the man. His mental make up is strong, coupled with a retiring modesty that is very marked. After graduating from college, and finishing his legal education, he came directly west, stopping a brief time in Chicago, and then locating at Potosi in Wisconsin. His first appearance in public life was as a member of the Constitutional Convention of 1847–8. In that body, his extreme modesty kept him from becoming prominent rapidly; but his clear and comprehensive mind brought him to the front rank before the close of its proceedings. The next year, 1848, he was made a candidate for congress without his knowledge. He had never thought of receiving the nomination, nor did he desire it; was not at the convention, but was attending to his professional duties at home, when the news of his promotion reached him, and he hesitated about believing it for some time. He entered upon the canvass, however, with zeal, and was elected. While congressional life was not suited to his quiet habits and tastes, he nevertheless was faithful to every duty, and no complaint was ever heard from his constituents. Returning home, he entered upon the duties of his profession with industry, and drew about him a good practice and many friends. In the winter of 1855, the republican party, then young and vigorous, had a majority in the legislature; and an associate justice of the supreme court was to be elected in the spring. In legislative caucus, Mr. COLE, who was at his home, having no knowledge of what was going on, was finally selected as the republican candidate for this high position —

one that had never occurred to him, and one that, when tendered, his native modesty compelled him to insist he was not qualified to fill. But his friends thought and knew otherwise, and almost compelled him to make the canvass, against his earnest protest. The result was his election over Hon. SAMUEL CRAWFORD, the then incumbent, and a very strong candidate. It was several days, however, after the election, before Judge COLE could be induced to believe that he had been successful. In the June following, he took his seat on the supreme bench, and by re-election has retained it ever since. His mind is admirably adapted to the bench. He has ability of a high order, a finished education, and is thoroughly read in the law. He is cool, deliberate, and free from bias; and his decisions are based on a conscientious belief of what is the law, the justice, and the right. A more thoroughly honest, upright and unprejudiced man never sat upon the bench of any court than is ORSAMUS COLE.

HON. JOSEPH COLLEY.

JOSEPH COLLEY was born in Newburyport, Massachusetts, March 8, 1777. He became a resident of Bedford, New Hampshire, when he was seven years of age, in 1784, where he continued to reside till 1840, when, following his four children who had located there, he became a citizen of Beloit, Wisconsin. In Bedford, New Hampshire, where he spent fifty-six years of his life, Mr. COLLEY occupied a very prominent position. In 1811, he was elected selectman, and till 1840, he occupied some important official position in the town, nearly, if not quite, every year. In 1828 and 1829, he represented his town in the legislature of the state; and, from 1825 till he left New Hampshire in 1840, he was a justice of the peace. In addition to these various public offices to which he was elected, he was a large portion of the time engaged in settling estates, as administrator, as guardian of children, etc.

He may be said to have been engaged in the service of his townsmen in New Hampshire, in some capacity, almost constantly, for a period of thirty years; and in every position he discharged his duties acceptably and well. During that period of time, his name and form were familiar to every citizen of the town, whether old or young.

In becoming a resident of Beloit in 1840, he hoped to spend the remainder of his days in private life; but such was not the case. He was found too intelligent, and too capable, to be permitted to remain out of official position. His services and experience were needed in managing the affairs of a new country; and he served several years as a justice of the peace, and as chairman of the board of supervisors of his town. In 1847, he was elected as one of the representatives of Rock county to the convention which formed the constitution of our state. In this body he served on the committee on schedule and miscellaneous provisions, and was a faithful and true man; ever in his place, and always voting right on every question affecting the interests and privileges of the whole people. His vote will be found recorded in favor of striking the word "white" out of the suffrage article, thus showing that he favored conferring the right to vote upon all men, without regard to color. To these liberal principles he has ever adhered, and often referred with special satisfaction and pride, in the latter months of his life, to these votes in the convention.

In private life his character was upright and pure; his habits were always temperate and regular. He was a man of large and powerful frame, possessing an uncommonly robust constitution. His countenance was ever pleasant, and his manner was calculated to draw persons around him. For some years previous to his death, which occurred May 7, 1867, his health had been slightly failing, and he lost his hearing so that he heard ordinary conversation with great difficulty. Still, a day seldom passed that he did not walk around among his friends at Beloit,

distributing to them pleasant words. He was married in early life to a Miss DOLE, by whom he had four children, two sons and two daughters, the eldest of whom, Hon. SAMUEL G. COLLEY, is one of the oldest residents of Rock county, has held many places of public trust, and closed a term as sheriff of that county with the beginning of the year 1879.

HON. EMULOUS P. COTTON.

EMULOUS P. COTTON was a native of the state of New York, born in 1811. He was elected to the Constitutional Convention in 1847, from Oconomowoc, Waukesha county, where he followed the occupation of miller. He served in this body on the committee on schedule and other miscellaneous provisions. No record of his after career has been furnished us. He has been dead for several years.

HON. PAUL CRANDALL.

PAUL CRANDALL was a native of the state of Connecticut, born in 1802, and by occupation was a farmer. At an early day he settled in the eastern part of Rock county, and at once took a prominent position among the people, then striving to build up a new country. In 1847, Mr. CRANDALL was elected as a member of the Constitutional Convention from the county of Rock. He was a quiet man, of excellent native sense and sound judgment; and, while he did not occupy much of the time in speaking, his counsel was of value in shaping many of the provisions of our state constitution. He was one of the substantial and useful members of the convention, highly esteemed by his associates. After state organization, Mr. CRANDALL was elected to the second state assembly, and served in that body during the session of 1849. Soon after this, he removed to the Pacific coast, locating in the territory of Oregon, and has ever since been an enterprising and prominent citizen of that territory and state. A letter of a late

date assures us that he still lives, in the enjoyment of good health; and now resides in Salem, Oregon.

HON. S. A. DAVENPORT.

S. A. DAVENPORT is a native of the state of New York, born in 1806. Settling in Brighton, Racine county, he adopted agriculture as a profession at an early date in territorial history. He was elected a member of the second Constitutional Convention in 1847, from Racine county, and although not taking a prominent part in the proceedings, proved himself very useful. He is a gentleman of fine abilities, well read, of sterling integrity, and highly respected by all. His residence is in the northern part of Racine county, and he is reported as still living, but the committee has been unable to receive any further record of his career.

HON. JOHN L. DORAN.

JOHN L. DORAN was a native of Ireland, born in 1814, and by profession a lawyer. He was elected to the second Constitutional Convention in 1847, from Milwaukee county, and served in that body on the committee on schedule and other miscellaneous provisions. He took considerable part in the debates on various articles, from time to time under consideration, and acquitted himself with much credit. He was a frank and genial gentleman, well read and highly cultivated. The committee have no record of his career for many years after the state was organized. In 1862, he was appointed colonel of the 17th Wisconsin regiment, in which capacity he rendered valuable services in the field. It is understood that he is now, and has for many years been a resident of Chicago.

HON. CHARLES DUNN.

CHARLES DUNN was born in Bullett county, Kentucky, December 28, 1799. His father was from Dublin, Ireland, and his mother, AMY BURKS, was a native of Virginia.

He commenced reading law with WORDEN POPE, Esq., of Louisville, and after a time continued his reading with JOHN POPE, Esq., of Frankfort. He removed to Illinois in 1819, and finished his legal studies with Hon. NATHANIEL POPE, then United States district judge for Illinois, and was admitted to the bar in 1820. He commenced the practice of his profession in Jonesboro, Illinois, and was married in 1821 to Miss MARY E. SHRADER, of Missouri. He was chief clerk of the Illinois house of representatives five years.

In 1829, he was appointed, by Governor EDWARDS, acting commissioner of the Illinois and Michigan canal, and with his associates, surveyed and platted the first town of Chicago, and the commissioners superintended the first sale of lots in 1829. The sales were continued during the two succeeding years.

In 1832, Mr. DUNN entered the service, and was engaged in the Black Hawk war as captain of a company he raised in Pope county, Illinois. Captain DUNN was severely, and it was thought mortally, wounded in what is now called the town of Dunn, in this county, by a cowardly sentinel, whom he, as officer of the day, was proceeding to relieve. There were three in company, Captain DUNN, the sergeant of the day, and the sentinel intended as a relief. At their approach, the sentinel on duty, instead of hailing them, fired at the group at a distance of about ten paces, severely wounding Captain DUNN in the right groin. He was taken to Fort Dixon, where he remained till the close of the war.

He served a short time as assistant paymaster, and then resumed the practice of his profession. In 1835, he was elected a member of the house of representatives in Illinois, and served as chairman of the judiciary committee during the session.

Judge DUNN was a man of marked distinction in this state. He has been long prominently identified with its

history. On the organization of the territory of Wisconsin in 1836, Mr. DUNN was appointed chief justice of the territory, his associates being Judge MILLER and Judge IRVIN. We believe the bench remained unchanged till the state was admitted into the Union in May, 1848. Judge DUNN was always esteemed a sound lawyer and an upright judge. He was a man of dignified appearance, and was generally acceptable to the bar and the people of the territory. His duties were quite onerous, as, during the greater part of the time he was on the bench, his district was the most populous and important in the territory, and produced, it is believed, the largest amount of litigation. He performed all his judicial duties with ability, fidelity and integrity.

Judge DUNN was a member of the convention that framed the constitution of the state. He was made president *pro tem.* in the organization of that convention, and was appointed chairman of the judiciary committee. He took a leading part in the proceedings of that body, and his counsel was influential in shaping many of the provisions of the organic law of our state. As a speaker, he was concise and clear. There was no eloquence in his manner of speaking; but his argument was strong and convincing. His speeches in this body were frequent, but never long. He was always heard with pleasure, and generally with profit, by the members of the convention.

Since the state was admitted, Judge DUNN had devoted his time principally to the practice of his profession as a lawyer — residing at Belmont, the first seat of the territorial government.

Judge DUNN represented La Fayette county in the state senate during the sessions of 1853, 1854, 1855 and 1856, and served as chairman of the judiciary committee. He was, of course, an able and influential member of that body.

In 1856, Judge DUNN was a candidate for congress

against C. C. WASHBURN. He was also a candidate for the state senate in 1870 against Hon. H. S. MAGOON, who was elected.

In politics, Judge DUNN has always been an able and true democrat. A native of Kentucky, he retained his southern notions on the slavery question, and opposed the republican organization with all his power. While he was very firm in his political faith, we believe he treated his opponents with respect and fairness.

In social life, Judge DUNN was highly respected, and possessed qualities that rendered him very attractive and popular with his acquaintances. He was pleasant and instructive in conversation, and dignified and courteous in his manners at all times. At the time of his death, Judge DUNN was the oldest member of the legal profession in the state, and was quite actively engaged in practice to the last.

Judge DUNN died on the 7th day of April, 1872, at the residence of his sister, Mrs. DAVID W. JONES, at Mineral Point, in the eightieth year of his age. Proper notice of his great worth, and regret at his death, was observed by the bar of the supreme court, and the proceedings were ordered to be placed on record, and may be found in the thirtieth volume of the Wisconsin Supreme Court Reports. From these proceedings, so honorable to any man, and so well deserved, in the case of Judge DUNN, we feel constrained to make liberal extracts. The members of the bar for the fifth judicial circuit had held a meeting and adopted resolutions of respect to the memory of their old friend and associate, and on the 17th of July, 1872, Hon. MOSES M. STRONG presented them to the supreme court, asking that they be placed upon its records. After the preamble, which sets forth the particulars in regard to the death of Judge DUNN, the resolutions read:

Therefore, we, the members of that bar, with no common emotions of regret, respect and reverence, join in availing ourselves of the proud

though melancholy privilege of paying our last tribute to the memory of the distinguished dead.

The deceased, Hon. CHARLES DUNN, never failed to recognize a brother in the most youthful, humble and unpretending member of the bar, while he could look upon the proud pretensions of the most assuming with the calm consciousness of an equal, and the well established reputation of a superior. We may, therefore, avail ourselves of more than our mere professional privilege of calling the deceased our brother. By the ties of the brotherhood of man we may call him our brother. Although, in connection with our deceased brother, we may not look "upon the storied monuments, the stately hatchments, the cold marble pomp with which grandeur mourns magnificently her departed pride," yet in the hearts of his professional brethren will be cherished the memory of unpretending learning, the dignity of unaffected simplicity, the graceful refinement of cultured thought, the genial courtesy of professional, official, and social etiquette, and the potential large-heartedness and breadth of intellect that commands respect and attracts admiration. The memory of these will live in the hearts of his professional brethren, and will be transmitted in professional succession, awakening emulation and stimulating ambition among the coming, to attain through praiseworthy effort to that position which practical virtues and noble manhood have so well adorned.

Resolved, That in the death of our brother, Hon. CHARLES DUNN, the bar has lost one of its most distinguished members, the profession one of its truest friends, the public one of its ablest defenders, the state one of its most esteemed citizens, and society one of its brightest ornaments.

Resolved, That CHARLES DUNN will be remembered as a learned jurist, an able advocate, a sound exponent of constitutional principles, and a true American citizen.

Resolved, That in remembering his amenity of manners, his kindly forbearance and uniform courtesy, both on the bench and at the bar, we will endeavor to emulate his virtues, and strive to cultivate the friendly relations and courteousness of professional character, both before the courts and toward each other, of which he gave such good example, and that is always praiseworthy in every member of the profession.

Mr. STRONG then gave an interesting sketch of the life of this jurist, and among other incidents related the following, which illustrates the fact that the Judge was not only polite and easy in manner, but brave as well. Mr. STRONG said:

While Judge DUNN always, as an essential part of his nature, displayed upon the bench the "*suaviter in modo*," it was invariably accompanied

with the "*fortiter in re.*" Numerous illustrations might be given, but one, most remarkable and bordering on the tragic, must suffice.

In 1838, an atrocious murder had been perpetrated in Grant county, and a person charged with the crime, and committed to jail to await the action of the grand jury. He was brought before Judge DUNN upon a writ of *habeas corpus*, who, after a full investigation, admitted the prisoner to bail, which he obtained, and was set at liberty. The inhabitants in the vicinity of the murder were very much incensed, and assembled in large numbers, with the avowed intention of lynching the accused, who only saved his life by flight. His sureties were also compelled to leave the territory at the hazard of their lives. The mob, in which were some very respectable citizens, also passed a resolution — of which they notified the judge — that if he attempted to hold another court in that county it would be at the risk of his life.

On the day appointed by law for the holding of court, the judge appeared, as usual, without guard or escort, as calm and undisturbed as though he was entirely ignorant of the menaces of the mob, many of whom, as he knew, were in attendance, and without having even spoken to any member of the bar, or to the sheriff, of the danger with which he was threatened, he took his seat upon the bench, with his accustomed quiet dignity, and ordered the sheriff to open court. It was observed that he took with him, to his seat, his saddle-bags, and placed them immediately by his side. This was his arsenal. The firm, determined and resolute purpose of the judge to hold that court at that time and at that place, in despite of all threats of personal violence, was so unmistakably developed in every lineament of his unblanched features, that all appearance of mob violence was effectually subdued. The sheriff opened court, and its business was proceeded with in the usual orderly manner.

Mr. STRONG concluded his remarks as follows:

But it was neither on the bench, at the bar, in office or in political contests, that those traits of character were developed that endeared Judge DUNN most to those who knew him best. In social life and in every-day intercourse with his friends and neighbors who knew him so well, and who prized him so highly, he lived and moved the object of the highest esteem and warmest friendship of all with whom he came in contact.

"With charity for all, and malice to none," he terminated his earthly course on the 7th of April last, in the fullness of years, leaving behind him numerous friends, regretting that they "ne'er should look upon his like again," and who yet had the consolation, that if an abiding faith in the truth of the doctrines of the Christian religion, and a life spent in doing unto others as he would that others should do unto him, furnish

any hope of a blessed immortality, that hope is surely vouchsafed to the bereaved friends of the subject of this imperfect obituary sketch; for,

"So deeds be just and words be true,
We need not shrink from nature's rule —
The tomb, so dark to mortal's view,
Is heaven's own blessed vestibule."

A meeting of the bar of the state adopted resolutions that were presented to the court by Hon. E. G. RYAN, the present chief justice of the supreme court. After brief reference to the story of the life of Judge DUNN, Mr. RYAN said:

Ambition has a double character; the highest or the lowest of social qualities. The ambition to use our talent in the service of our race and of Him who gave it, is something as noble as any human motive can be. The ambition of station, for self-honor or self-profit, regardless of our own fitness or of the greater fitness of our fellows, is as low a lust as mean egotism can reach. The attainment of office, for its opportunities of serving the public good, ennobles the office and the officer. The attainment of office, beyond the capacity of the officer, for the sake of personal distinction or interest, belittles both. To each his peculiar talent is given. True glory is the faithful use of the talent given, within its proper sphere, upon all appropriate occasions fitly offering.

It was Judge DUNN's lot in life to fill many stations, professional and lay, executive, legislative and judicial. So far as I know or have been able to learn, these rather sought him than he them. He certainly intruded himself into none of them. There was a modesty in the man which was rare in his generation. I think that his own estimate of his own powers was below, not above the estimate of all who knew him well. And he was a thoroughly earnest man. He filled all his offices with singular fidelity and zeal; as if each, in its turn, were the chief end of his life. To say that he filled them with ability, would be faint praise. He did not achieve success in them by just escaping failure. He was a faithful officer; his offices were never below him, but he was always above them. None of them gave opportunity of showing all that he was, of calling out the strength that was in him. They were all respectable, some of them were high. But his intellect, his culture, his general capacity, towered far above every station he ever occupied. We mourn for the untried powers, which die out of the world with the young. Let us mourn for the world when it suffers great powers to die, unused in its service with the old.

In his life, Judge DUNN saw many men around him reach stations which he did not reach. Some of them rose worthily and usefully.

Some rose only to show their own unfitness. With like pliancy or like artifice, he too might have risen where his inferiors rose. But he was above these. And standing below, on the solid level of his own life and character, he ranked the superior of most and the equal of any of his cotemporaries. He might have ennobled many positions filled by them; none of them could have ennobled him.

For, truly, he was a great man in private station. While his intellect was calm, it was solid; while it was not brilliant, it was comprehensive and far reaching. It was deliberate, discriminating, clear, wise and just. I doubt if he have left among us his intellectual equal. His character was solid, strong and resolute, but not stern or harsh. His stronger qualities were softened by great sense of humor and great kindness of heart. His temper was singularly genial. He was generous and trustful to a fault. His foibles, for — like all born of woman — he had them, all arose from his genial character, the warmth of his heart and the kindness of his temper. Strong in character among the strongest; he was, in carriage and manner, gentle among the gentlest; eminently modest and unobtrusive in demeanor. His culture was of a high order, in and out of his profession; like himself, useful and thorough, not superficial or showy. His knowledge of men and things, of the world and its ways, was profound. There were singularly combined in him the sagacity of a man of the world, and the personal simplicity of a child. He had a deep sense of the duties of life. In all its relations, in all its chances and vicissitudes, he was always true to his own views of duty. His sense of self-respect was unerring, and never deserted, never betrayed him. It is little to say that he was the soul of honor. He could be nothing that is false or mean. He did not know what treason was. That which he believed, that which he loved, that to which he gave his faith, were part of himself. He could not desert faith, or friend, or duty, without betraying his own life. Dishonor in him would have been moral suicide.

Hon. GEORGE B. SMITH made a few remarks, from which we extract a single paragraph:

On the formation of our state government he retired from the bench, and from that time to his death he was engaged in the practice of his profession. His high character as a jurist secured for him an extensive practice in the western portion of the state, and his benevolent and pure character made him at all times and in all respects the counselor and friend of a very large circle of acquaintances. Although he died in the fullness of years, he died deeply regretted by all who knew him. His fame as a lawyer and a judge, and his services in the formation of our constitution and framework of our civil polity, will live while the annals of our state shall last, for the history of Wisconsin will not be faithful

or complete without frequent and honorable mention of CHARLES DUNN.

Mr. Justice COLE, on the part of the court, spoke at some length, and after reciting the main features in the life of the learned judge, concluded his remarks as follows:

After Judge DUNN resumed practice, I met him frequently as a lawyer — sometimes being associated with him on the same side of a case, and sometimes being opposed to him, and while he was a most formidable antagonist, yet I never met a man with whom it was so pleasant to practice. Of course he was far above everything that could be termed dishonorable, or even what is characterized as "sharp practice" in the management of cases. But he was so fair, honorable and obliging in everything that related to the mere details of practice, that he never failed to accommodate an opposing attorney in matters of this kind when he could do so without prejudice to the interests of his client. And he observed so religiously his verbal stipulations, that no one ever thought of having them reduced to writing from an apprehension that he would not abide by them. In his intercourse with the members of the profession in court, and out of court, and his demeanor towards the bench, he was an example of the highest professional courtesy, dignity and kindness.

This, of course, is not the occasion to review the judicial career, or to attempt to estimate the value of the public services of Judge DUNN. But I cannot withhold an expression of the belief that he will be in the future — even if he is not now regarded as having — by his labors upon the bench, and by his wisdom and sound statesmanship in the Constitutional Convention, contributed as much to lay the foundations of the political and judicial systems which we now enjoy, as any individual.

The request and motion to enter upon the records of the proceedings, the resolutions of the bar of the fifth circuit, and the proceedings and resolutions of the supreme court, presented, are granted.

HON. EXPERIENCE ESTABROOK.

The ancestry of Mr. ESTABROOK was Puritan. His father was SETH ESTABROOK, the maiden name of his mother was HANNAH HIBBARD. He was born in Lebanon, Grafton county, New Hampshire, April 30, 1813, had a common and private school education, and became a lawyer by profession. He married CAROLINE A. MAXWELL, April 17, 1844, and resided for a short time at Alden, Erie county, New York; settled at Geneva, Wal-

worth county, Wisconsin, in July, 1840, where he soon became prominent, having been chosen district attorney and school commissioner before his election to the Constitutional Convention. After that event, he served as a member of the assembly and as attorney general of the new state. Removing to the territory of Nebraska many years since, he was elected delegate to congress, and has also filled many other important public positions since that state was organized and admitted into the Union.

Mr. ESTABROOK filled a very prominent position in the Constitutional Convention of 1847–8 in Wisconsin, having been chairman of the committee on education and school funds; and it is to him and his able associates that the state is indebted largely for its present educational system. While he made but few speeches, they were uniformly upon the most important subjects pending, and always terse, logical and to the point. Upon the question of extending suffrage to all alike, without regard to color, he took a position far in advance of his party at that time, and was, indeed, one of the pioneer leaders in breaking from the shackles of mere prejudice, and rising to the real dignity and equality of republican government. In all the discussions reported, his views and his acts were conservative — never extreme — and his reasoning was marked by a solidity and cogency that time has long since demonstrated to have been correct. Possessing abilities and legal acquirements of a high order, and a noble and patriotic purpose to aid in the erection of a state worthy of its people, his work has left a marked and enduring impress on Wisconsin, where his name should ever be held in high honor.

Among pioneer experiences, Mr. ESTABROOK makes record that he attended the first term of the first court held in Elkhorn, Walworth county, and brought the first case in bankruptcy; that he owned a dog, a near relative to Judge IRVIN's "York," which insured him much success in practice in the judge's court; that he once examined our

present Justice LYON, of the supreme court, for a schoolmaster; and that he put the first boat, the schooner rigged "Ariel," of five tons, on Geneva lake.

HON. JAMES FAGAN.

JAMES FAGAN was elected to the second Constitutional Convention from Grafton, Washington county. He was born in Ireland, and was, at the time of the convention, thirty-five years of age. He served on the standing committee on education and school funds, but took no conspicuous part in the general proceedings. He was a gentleman of sterling worth, and felt a deep interest in the work in hand, aiding to the extent of his abilities in securing for Wisconsin a liberal and progressive organic law of development. Mr. FAGAN was a member of the assembly from Washington county, in the years 1849 and 1857. He is reported as having died several years ago.

HON. GEORGE W. FEATHERSTONHAUGH.

GEORGE W. FEATHERSTONHAUGH was born in Albany, New York, in 1814, and at the time of his election to the second Constitutional Convention, in 1847, from Pequot, Calumet county, was a miller by occupation. He served in that body on the committee on schedule and other miscellaneous provisions, but took only a limited part in the general proceedings. He was elected also, in 1847, from the same county, to the territorial house of representatives, and served until the close, in 1848. With much force of character, a highly finished education, and many excellent qualities, Mr. FEATHERSTONHAUGH had serious defects which operated to defeat a public career that might otherwise have been conspicuous for usefulness. He has long resided in Milwaukee, but it is understood that his health is now much broken, and that he is suffering from the infirmities of old age.

HON. DANIEL G. FENTON.

It is a source of regret to the committee that they have been unable to obtain the family record of Col. FENTON, an early settler at Prairie du Chien. He was elected a member of the second Constitutional Convention, from the counties of Crawford and Chippewa, and served in that body on the committee on executive, legislative, and administrative provisions. He was a native of New Jersey, a lawyer by profession, and at the date of the session, was thirty-seven years of age. After the state organization, he was elected a member of the first state senate, in 1848, was frequently sent as delegate to state and other conventions, and was widely known in political circles. He died suddenly about 1850, his wife soon after removing to Green Bay, where all trace seems to be lost. He was a gentleman of courteous, dignified and affable address, possessing large mental and scholarly attainments, and had a large circle of friends. With some defects incident to his surroundings, and a hospitable disposition, his merits were great and predominant. Few, indeed, among old settlers, but will remember him, and all will lament his early death, and the failure to obtain data to make a record of his personal career and history.

HON. GARRETT M. FITZGERALD.

[GARRETT M. FITZGERALD was a member of both Constitutional Conventions. For sketch, see page 79.]

HON. JONAS FOLTS.

JONAS FOLTS was born in Herkimer, Herkimer county, New York, March 12, 1808. He received an academic education, and after some years spent as a book-keeper, embraced the occupation of farming. He was married October 20, 1835, to SALLY L. BARTLETT, and the same year settled in Milwaukee. The year following, he made a claim in the town of Summit, now Waukesha county,

and took up his abode in the then wilderness, in company with T. C. Dousman, E. W. Edgerton, L. C. Leavitt, and one or two others, where he resided several years, holding many town offices meanwhile. He removed to the town of Hebron, Jefferson county, in 1843; was elected register of deeds in 1846, member of the Constitutional Convention in 1847, and to the state legislature in 1867, besides holding many minor positions of public trust.

The part taken by Mr. Folts in the convention was passive rather than active. He introduced several propositions and resolutions, but took no part in the general debates. His votes, however, were cast intelligently on all matters that came up for action, and he performed very useful services as a member. He was in all respects an honorable and worthy citizen, and a safe and trusty legislator. He died at Hebron on the 24th of June, 1876.

HON. EZRA A. FOOT.

The ancestral record of Mr. Foot is thus stated: Father — Joseph Foot, of Watertown, Connecticut; mother's maiden name, Abigal Baldwin, of Washington, in the same state, — eighth generation from Nathaniel Foot, one of the first settlers in Wethersfield. His father was a cousin of United States Senator James A. Foot, of Connecticut, who was the father of Commodore A. H. Foot, and also cousin of Roxana Foot, wife of Lyman Beecher, D. D., and mother of Henry Ward Beecher.

Ezra A. Foot was born in North Goshen, Connecticut, February 6, 1809; had a common school education, and became by profession a farmer and produce dealer. He was married June 4, 1829, to Clarissa Beach, daughter of Julius Beach, Esq., of Goshen, Connecticut; came to Wisconsin in 1843, and settled at the place where Footville, Rock county, now stands, May 28, 1845.

He was a candidate for election to the first Constitutional Convention in 1846, but was defeated with the balance of

the whig ticket. He was elected a member of the second convention in 1847, and served on the committee on engrossment, and took an active part in all proceedings. Prior to locating in Wisconsin, he had held about every local office in the gift of his townsmen in Connecticut, and the same also here, after the state was organized. In 1857, he was elected a member of the assembly, and in 1860, to the state senate, serving as chairman of the committee on agriculture in 1861, and on finance in 1862. He was appointed a trustee of the State Hospital for the Insane, and held the position for some years. In 1869, he removed to Kansas, and was chosen first mayor of the city of La Cygne, police judge, etc. Returned to Wisconsin in 1876, and the next year was elected chairman of the board of supervisors and justice of the peace.

From the foregoing record, it will be seen that Mr. FOOT has passed through all the grades incident to pioneer life, filling the most important civil positions, every duty of which he faithfully and honorably discharged. His public career has been a long, and in every sense, useful one. It began in Wisconsin when he was elected to the Constitutional Convention, in 1847, at the age of 38, and has continued almost without break or interruption for a period of more than thirty years.

HON. ALBERT FOWLER.

ALBERT FOWLER is the second of four sons of Dr. ELIJAH FOWLER, who was in early life a soldier in the war of the revolution (and whose father, GURDON FOWLER, was a soldier in the old French war, in 1755), and later settled in Tyringham, Berkshire county, Massachusetts, about the year 1794, where he practiced his profession until his death, in 1812. These are all descended from the Puritan ancestor, WILLIAM FOWLER, of the New Haven colony of 1637. The father of ALBERT FOWLER, dying in 1812, left a family of four sons and one daughter, all young

children, and in destitute circumstances. They shortly emigrated to Chautauqua county, New York, where they grew to manhood.

In 1832, ALBERT FOWLER emigrated to Chicago, reaching there in the month of June of that year, and was there when General SCOTT arrived with troops for the BLACK HAWK war, and who brought the cholera with them. In common with others who were able to do so, Mr. FOWLER left Chicago, returning to Detroit by way of the lakes, where he sought and found employment for a brief period, and later retired into the country, and taught a school during the winter of 1832–3, returning to Chicago in the spring of 1833, where he remained during the summer, and bought and sold some real estate. He went to Buffalo, in September, and purchased a stock of Indian goods, to sell at the great Indian payment, held at Chicago in September, 1833. He realized handsomely on the venture. Concluding to go to the then trading post at the mouth of the Milwaukee river, he left Chicago in company with ROBERT J. COUSIN, ANDREW LANSING, and QUARTUS G. CARLEY, and they were encamped on the banks of Root river the night of the great meteoric shower, in November, 1833, and reached Milwaukee the 18th day of November of the above year. GEORGE H. WALKER was then at Skunk Grove, but had never yet been to the present site of Milwaukee, and did not go there until the following spring.

COUSIN and LANSING afterwards settled at Jefferson, and CARLEY in Kenosha county.

Mr. FOWLER and party took up their abode, for the winter following their arrival, in a log cabin, owned by, and probably erected by, SOLOMON JUNEAU, and located near the present intersection of Wisconsin and East Water streets, where they kept bachelor's hall, as the saying is, until the following spring, there being no other white men in the place excepting SOLOMON JUNEAU. In

the month of January, 1834, Mr. FOWLER visited Chicago on horseback to obtain a physician for Mrs. JUNEAU, for which he was rewarded by Mr. JUNEAU with a new suit of clothes.

In the spring of 1834, Mr. FOWLER became a member of Mr. JUNEAU's family, and continued to live with them until 1836, being in his employ most of the time, and engaged in his trading expeditions among the Indians. He learned the Menominee and Pottawotamie dialects, and was given the name of "MIS-KEE-O-QUO-WEN," which signifies red-cap, in consequence of his wearing a red cap when he came among them for the first time. During the latter part of the summer of 1835, JAMES DUANE DOTY and MORGAN L. MARTIN went as delegates from the territory of Wisconsin to a session of the council at Detroit, and upon their return they brought a commission to Mr. FOWLER from STEPHEN T. MASON, the governor of the territory of Michigan, as justice of the peace, clerk of the court, etc. As there was no court organized, there was no service rendered in the latter capacity, but the justice court was opened with a jurisdiction extending over all the country lying east of Rock river, in Wisconsin. Under the authority conferred by this commission, Mr. FOWLER opened the first volume of records in the recorder's office of Milwaukee, and most of the records in the original volume were in his handwriting.

Mr. FOWLER, Mr. KILBOURN, ARCHIBALD CLYBOURN and others platted, in 1835, and owned, that portion of the fourth ward of Milwaukee at that time laid out.

Mr. FOWLER continued to deal extensively in real estate, until the panic of 1837 put an end to such operations, and in 1839 he retired to a farm in the township of Wauwatosa, in Milwaukee county, and two years later to another farm in the same township, where he remained until the death of his wife in 1851.

Many an early settler of those days will remember with

gratitude the name of ALBERT FOWLER, who was ever ready to aid the poor settler with practical assistance and encouragement. His house and his fare were free to all who were worthy and in need, without money and without price, and few men in Milwaukee county in that early day had a more extended acquaintance than he, or were more respected for their honesty and probity of character. In business affairs he always paid one hundred cents on the dollar, and continued to do so after the panic of 1837, which found him greatly involved, in common with many others.

Mr. FOWLER subsequently settled in Rockford, Illinois, in 1853, where he has ever since remained, and although three times honored with the highest office in the gift of that municipality, he has many times expressed his regrets at having left Milwaukee, the home of his first choice in early manhood, the fair commercial metropolis of Wisconsin, in which he has always felt a just pride as one of its founders; in fact, the first white settler who came and remained, after SOLOMON JUNEAU, before WALKER, before KILBOURN, or any other, except as mentioned, the pioneer guard of the 120,000 there at the present time.

Mr. FOWLER was a representative from the county of Milwaukee in the Constitutional Convention of 1847–8, and was one of the most attentive members of that body. He was not a frequent speaker, but his excellent common sense gave him a wide influence on committees, and in his advice on matters pertaining to the business of the convention, was of value, making him a very useful member.

Mr. FOWLER, now, in 1880, in his 78th year, enjoys a fair degree of health, and is remarkably well preserved in appearance. His recollections of pioneer events and men are of an interesting and entertaining character, and, were he accustomed to the writing of memoirs and biographical sketches, could afford the public some very interesting accounts of the early days of the settlement of Milwaukee.

HON. WILLIAM HERMAN FOX.

William H. Fox was a son of William Fox, of the family of O'Sionach (anglicised Fox), of Tiffia and Kilcourcey county, West Meath, Ireland, and Eleanor Tyn, his wife. He was born in Moate a Granougo county, West Meath, Ireland, September 14, 1814, received a select school and medical collegiate education, and was by profession a physician. He settled at Cleveland, Ohio, in 1833, removed to Lima, Lagrange county, Indiana, in 1839, and from thence to Wisconsin territory in November, 1842, entering the land on which he has ever since resided, at the United States land office, in section thirty-five, town six, range nine, in Dane county, and commenced improvements on the same in 1843. In December, 1841, he was married to Cornelia Averill, of Lagrange, Indiana, who died in April, 1864. In March, 1867, he married Emily Kingsley, of West Meath, Ireland.

He was elected a member of the Constitutional Convention in 1847, and served in that body on the committee on general provisions, comprising preamble, boundaries and admission of the state, suffrage and elective franchise, internal improvements, taxation, finance and public debt, militia, eminent domain and property belonging to the state, bill of rights, and such other provisions as were referred to the same.

The part taken by Dr. Fox in the proceedings of the convention, while not especially prominent, was eminently useful, and produced a lasting impression, especially his action upon the suffrage question, the article as it stands in the constitution having been in a large measure dictated by him, and has ever since proved satisfactory to all parties. Except his services as a member, the Doctor has ever since avoided public life, and attended almost exclusively to his large farm, and the labors of his profession, which covered a field for many years scarcely bounded by

the limits of Dane county. His life has been one of intense activity and unselfish devotion to the bodily health and interests of all about him. A trusty friend, of warm and generous impulses, a wise counselor and kind neighbor, eminent for professional skill which has ever been in constant requisition, he has reached old age after a well spent life, in every sense honorable and useful, enjoying throughout the esteem and respect of all who knew him. His experience as a pioneer settler, like that of most of his associates, covers nearly the entire annals of both territory and state.

HON. GEORGE GALE.

GEORGE GALE was born in Burlington, Vermont, November 30, 1816. His grandfather, PETER GALE, was a native of Vermont, and served in the continental army; his father, whose name was also PETER, was one of the "minute men" of Barre, Vermont, in the second war with Great Britain. His mother's name was HANNAH TOTTINGHAM, and she was of genuine Puritan stock. The subject of this sketch lived on a farm during his boyhood, and divided his time in working on a farm and attending school. He possessed a remarkable love for books, and found recreation in study. After obtaining a fair education, in March, 1839, he commenced reading law at Waterbury Center, and was admitted to the bar in 1841. In the same year he removed to the then territory of Wisconsin, and located at Elkhorn, where he commenced the practice of his profession. In addition to his professional labors, he was for one year the editor of the *Western Star*, published in Elkhorn, to which he contributed many able articles. In 1846, he published the "Wisconsin Form Book," revised editions of which were published in 1848, 1850, and 1856. He also published a valuable work on the "Upper Mississippi," and performed considerable labor on the records of the GALE family.

In 1847, he was elected a representative from Walworth

county, to the Constitutional Convention, in which body he was a prominent and hard working member. He served as a member of the committee on the judiciary. He held several official positions after the convention. Among them, we note that he was district attorney one term; state senator in 1850 and 1851. The latter year he removed to La Crosse, and was county judge of that county four years, and circuit judge from 1857 to 1863. In 1853, Judge GALE purchased a large tract of land, including the present site of Galesville, and the next winter he procured the organization of the county of Trempealeau. He founded the Galesville University, endowing it to the amount of ten thousand dollars. In 1857, he settled on a farm near Galesville. Owing to failing health in 1862, he spent the winter in the south for its benefit; and the two following winters were spent in the south, but without any permanent relief. He died of consumption in April, 1868, at the age of fifty-two years.

In December, 1844, Mr. GALE was married at Elkhorn, to Miss GERTRUDE YOUNG. They had three children, two sons and a daughter, all of whom are now settled in life.

HON. PETER D. GIFFORD.

PETER D. GIFFORD was a native of the state of New York, born in 1812, and by general occupation a merchant. He came west at an early day and settled in Waukesha county, from which county he was elected to the Constitutional Convention in 1847. He took part in the debates on several important articles, and was regarded as a useful member. He was a gentleman of affable and social disposition, kind hearted, generous, and ever held in high esteem by all who knew him. In 1862, he was elected to the assembly. With increasing age and infirmities he finally became partially deranged, and died some five years ago in the insane hospital at Madison, to which he had been sent for medical treatment.

HON. JAMES HARRINGTON.

JAMES HARRINGTON was a native of the state of New York, born in 1810, and by trade a carpenter. He was elected to the second Constitutional Convention from Walworth county, in 1847, but took no conspicuous part in the proceedings. He was a gentleman of fine abilities, good judgment, and honest purposes. Of his after career no report has reached the committee. He removed to St. Paul, Minnesota, and died there in 1852 or 1853.

HON. LOUIS POWELL HARVEY.

LOUIS POWELL HARVEY was born in East Haddam, Connecticut, July 22, 1820. His parents were not wealthy, and the son early felt the necessity of taking care of himself, in seeking his own fortune. In 1828, when our subject was but eight years of age, the family removed to Strongsville, Cuyahoga county, Ohio. LOUIS prepared himself for college, and in 1837 entered the freshman class in the Western Reserve College, located at Hudson, Ohio. Here he remained two years, when, on account of ill-health, he was compelled to leave the institution, deeply to his own regret. He was a great favorite with his fellow students. On leaving college, he started out as a teacher, and spent a year or two at Nicholasville, Kentucky, in charge of an academy, when he obtained a situation as tutor in Woodward College, Cincinnati, where he remained two years. In 1840, Mr. HARVEY took a prominent part in the Harrison campaign, speaking in several places with marked ability. These were his first efforts at public speaking. In the autumn of 1841, he located in Southport (now Kenosha), in Wisconsin, where he opened a school on the 25th of December, 1841, meeting with good success. In addition to his duties as a teacher, in 1843, he assumed the editorial charge of the Southport *American*, a whig paper. While under his charge, this paper was con-

ducted with ability and spirit. He was called to fill several positions in the town during his residence at Southport. From President TYLER, Mr. HARVEY received the appointment of postmaster, but not being able to follow the fortunes of that man, soon lost the position.

In 1847, Mr. HARVEY was married to Miss CORDELIA A. PERRINE, a lady of rare accomplishments, whose after life forms an important chapter in the war history of the state. In the same year, he located at Clinton, in the county of Rock, and opened a store; and in the fall, was elected as one of the representatives of that county to the convention that framed the organic law of the state. He was one of the youngest men in this body, but occupied a conspicuous position in its deliberations. He was a member of the standing committee on education and school funds, and was prominent in shaping the educational system of the state. In the discussions of the convention he took an active part, and was considered one of the ablest and clearest debaters in it.

In 1851, Mr. HARVEY located at Waterloo (now Shopiere), which continued to be his residence while he lived. Here he purchased a water-power, and tearing away a distillery that had long been a curse to the place, erected on its site a flouring mill, and established a retail store. Here he was the leading citizen, exercising a great influence in reforming the morals of the place.

Mr. HARVEY served two terms in the state senate, commencing with the year 1854. He was a leading member of that body in its deliberations, and during his last term served as president *pro tem.*, discharging most acceptably the duties of this high position. During the years 1860 and 1861, Mr. HARVEY served as secretary of state, bringing to that department rare ability and great energy of character. As a member of the board of regents of the State University, he rendered valuable service. He was ever a strong friend of that institution, as he

was to the great cause of education generally. In his speeches and public acts, he evinced much zeal in this noble cause.

In 1861, Mr. HARVEY was elected governor of Wisconsin, under the constitution he had taken so important a part in framing. On the first Monday in January, 1862, he assumed the duties of the office, and discharged them with eminent ability until the 17th day of April following, when, by an accident, he was suddenly called to his final rest, and was lost to the people of Wisconsin. The circumstances attending his death may be briefly related in this connection. On receiving the news of the battle of Shiloh, in which Wisconsin troops had suffered terrible losses, Gov. HARVEY deemed it his duty to repair at once to the scene of suffering, and to afford all the relief in his power. On the following morning, full of vigor and in the most perfect health, he left his home duties, his family comforts, to seek out the afflicted soldiers of the state, and to administer relief and consolation to them. His mission was completely successful. His presence among the troops had an electric effect, giving them *new life* and *new hope*. He had finished his noble work, and prepared for his return home. On the 17th of April, he wrote to his wife from Pittsburg Landing, using these words: "Yesterday was *the day* of my life! Thank God for the impulse that brought me here! I am well, and have done more good by coming than I can well tell." This was probably his last letter. He had taken position on a boat at Savannah, to await the arrival of another vessel that was to convey him to Cairo, on his homeward trip. It was late in the evening, and the night was dark and rainy. The expected boat hove in sight, and as it rounded to, the bow touching the one upon which the governor stood, he took a step — perhaps stumbled — and fell overboard between the two boats, into the Tennessee river, and all efforts to rescue him proved unavailing. He sank, never to rise again, alive. Thus was lost

to the state, an able, energetic and honest public servant; to the community, an excellent citizen and kind-hearted, genial man.

HON. STEPHEN P. HOLLENBECK.

ABRAM HOLLENBECK was the father of STEPHEN, and ABIGAIL BRONSON, the maiden name of his mother, both natives of Vermont, residing at Richmond, Chittenden county, of whom no further record is made. He was born March 28, 1801, and after receiving a common school education, became a mill-wright by profession. He removed to Mineral Point, Wisconsin, in 1834, residing in Iowa county until 1853, when he located in Green Lake county. In 1841, he married HARRIET BLAIR.

In 1847, he was elected a member of the Constitutional Convention, but took no very prominent part in the proceedings. The record of his votes on the various propositions that came up for action, exhibits keen discrimination and practical information as to all matters pending, and an honest purpose to make the coming state free and progressive in its organic structure. After state organization, he took little part in public life, although chosen a member of the assembly in 1855, and holding for many years various important local offices.

We note but a single pioneer experience, mainly for its novelty and daring. In 1840, the Winnebago Indians were restive if not hostile, and, despite a treaty, returned to their old haunts, greatly to the alarm of many of the earliest white settlers. Under orders from Gov. DODGE, and with but three men, Mr. HOLLENBECK went to Richland county, reached the Indian camp about 10 o'clock at night, when the whole band of about one hundred surrendered, and were turned over to a captain in the United States regular service. On learning the small force sent on such a duty, the captain pronounced Gov. DODGE a "fool" for so rash an act — one that might have proved fatal to all concerned.

Manifestly he did not appreciate the stern ideas of the "old Indian fighter," and iron will of the officer in charge. But the savages knew whom they were dealing with, and acted accordingly.

The present address of Mr. HOLLENBECK is Concord, Dodge county, Minnesota.

HON. ANDREW B. JACKSON.

ANDREW B. JACKSON was born at Wolcott, Connecticut, February 14, 1814. He was the son of ORRIN and HANNAH (FRISBIE) JACKSON. In 1836, he was married at New Haven, Connecticut, to Miss MARY A. BASSETT; and, in the same year, removed to the west, settling in Racine county, Wisconsin, in 1837; from thence to Appleton in 1861; thence to Menasha in 1862; thence to Evanston, Illinois, in 1869; and to Rogers' Park in 1875, where he died, March 25, 1878, aged sixty-four years. It will thus be seen that Mr. JACKSON was a pioneer to the state, and he has occupied positions of considerable prominence.

In 1846, he represented Racine county in the territorial legislature; and in 1847, he was a member of the Constitutional Convention from the same county. He was always in his place, watchful of the interests of his constituents, and efficient in carrying out their wishes. Soon after the inauguration of President LINCOLN, Mr. JACKSON was appointed as register in the land office, at Menasha, in 1861, a position which he held for several years. In early life, Mr. JACKSON was an active member of the democratic party, but on the organization of the republican party, or soon afterwards, he took position in it, and was a valuable member of that organization. He took a deep interest in promoting the general welfare of the state of Wisconsin and its people. He leaves a wife and four children — three sons and a daughter. Wherever Mr. JACKSON had lived, he was highly esteemed as an upright, straightforward,

christian gentleman, and has always been prominently identified with church interests.

At the reunion of the survivors of the Constitutional Convention in 1878, Mr. JACKSON made several brief speeches. At the evening session, he spoke feelingly of the past scenes in the state; of the work of the convention; of the constitution produced by it; of the prosperity of our state under the organic law adopted thirty years before; and of the pleasure he derived on that occasion in meeting his old friends, those who were identified with the early history of the territory and state.

As Mr. JACKSON was the first one of this gathering of veterans called to cross the river, his concluding remarks, being about the last words spoken in the meeting, seem almost prophetic, and it is eminently proper that they be published in this connection. He had spoken for some time on points as above indicated, and with much feeling closed his remarks as follows:

BRETHREN OF THE CONVENTION: — Most of those with whom we had the honor to labor in framing the organic law of the state, have gone to their reward! Their life's work is done! We, lingering here awhile, on borrowed time, bearing the gathering infirmities of three score years and more, must soon follow them. With trembling hand and faltering step, we are nearing the other shore. Ere another decade shall have passed away, most, if not all of us, will have joined them in the life beyond, where they await our coming! May it not be, that, *even now*, though unseen, their pure spirits hovering over this hall, witness our greetings, with an immortal sympathy, unfelt by souls untranslated? May our Heavenly Father, whom we serve, and whose service is perfect freedom, mercifully give us all a gracious journey down the remnant of our time, and when it shall be ours to cross to the other side, grant us there, a blessed reunion, as felicitous and enduring as the eternal years!

HON. MILO JONES.

Among the early settlers of Jefferson county, in this state, was MILO JONES, who was born at Richmond, Chittenden county, Vermont, February 16, 1809. His parents were EDWARD and LUCY (FARNSWORTH) JONES. Until

1828, MILO remained at home, receiving such education as was then afforded to farmers' boys. At that time he entered a surveyor's office in Burlington, where he spent four years, devoting special attention to civil engineering. In 1832, he came west as far as Michigan, returning to Vermont the following year. He again came to Michigan in 1834, spending the summer there in surveying, and the next winter came to Wisconsin, where he had an interest in a contract for government surveys, extending over several counties. For two years he was employed in this work, when, in 1838, he selected the land now including the site of Fort Atkinson, erected a log cabin, and on the same spot he has resided ever since. In 1839, he commenced the dairy business on a small scale, being the pioneer cheese manufacturer in the state of Wisconsin, which now ranks among the first in this department. In the early years of his residence here, Mr. JONES had much experience with the Indians, but managed them with great skill and bravery.

Mr. JONES was a member of the Constitutional Convention of 1847, from the county of Jefferson, and was active in framing the organic law of the state. He was not a speech-maker, but he was an industrious and hard worker, and his views evinced strong practical common sense. He served on the committee on general provisions, which was the largest and most important committee in the body. He was post-master at Fort Atkinson, during the administration of President PIERCE; and has held numerous town and county offices, always discharging their duties with fidelity and to the satisfaction of his people.

In April, 1832, Mr. JONES was married to Miss SARAH CRANE, of Richmond, Vermont. Of eight children they have had, five are living. Mrs. JONES died in 1872. Mr. JONES still resides at Fort Atkinson, where he ranks among its most prominent and estimable citizens.

HON. STODDARD JUDD.

[Mr. JUDD was a member of both Constitutional Conventions. For sketch, see page 107.]

HON. WILLIAM H. KENNEDY.

WILLIAM H. KENNEDY was the son of WILLIAM and JENNETT (FAIRES) KENNEDY, and was born in Philadelphia, Pennsylvania, in 1809. He received an academic education, and studied law, but the principal occupation of life was that of a lumberman. He was married at Mosinee, Wisconsin, November 28, 1847, to ELIZABETH M. BAKER. He lived for a time at Mt. Carroll, Illinois; settled at Mosinee, Wisconsin, in 1845; afterwards moved to Wausau.

In 1847, Mr. KENNEDY was elected to the second Constitutional Convention from the county of Portage, and discharged the duties of the position in a manner highly creditable to himself and satisfactorily to his constituents. He was a gentleman of fine natural abilities, good cultivation, and strong practical sense. He died in St. Louis, August 29, 1859.

HON. BYRON KILBOURN.

BYRON KILBOURN was born at Granby, Connecticut, September 8, 1801. In 1803, his father, Col. JAMES KILBOURN, removed, with his own and some forty other families, and settled on what is now the site of the village of Worthington, Franklin county, Ohio. He had good advantages for that day for receiving an education; and at the age of thirteen, left school and became a clerk in his father's store. He devoted his leisure hours to the study of mathematics, and to the reading of history and the law. He had no taste for mercantile life, and at the age of sixteen abandoned it, and engaged in surveying, which he followed for many years. In 1833, he undertook the superintendence of the construction of the Milan ship canal. In 1834, he landed at Green Bay, having a contract for the

survey of public lands. The country was then a wilderness, and Mr. KILBOURN traveled on horse-back, carrying all the necessary articles for camping, etc., with him. During his first year in Wisconsin, he visited Milwaukee and concluded to locate at that point, and made selection of lands embracing that part of the present city, on the west side of Milwaukee river. A town was organized on the west side in 1837, and Mr. KILBOURN was the first president. His first project was a canal connecting Milwaukee with Rock river, a matter to which he devoted much energy for several years, as the records of subsequent legislation will show. In 1840, Mr. KILBOURN was a candidate for delegate to congress, but was defeated by Gov. DOTY. In 1845, he was elected to the territorial legislature; and the year following, Milwaukee became a city, and he was a member of the first board of aldermen.

In 1847, he was chosen as a representative of Milwaukee to the Constitutional Convention, and in that body he took a conspicuous part in committee work and in the debates of the convention. He was chairman of the committee on general provisions, and as such, drew up many of the important provisions of the constitution. In 1848, he was mayor of Milwaukee. In 1849, he became president of the Milwaukee and Mississippi Railroad Company, which position he held till 1852. He then engaged with zeal in the prosecution of the Milwaukee and La Crosse Railroad.

Mr. KILBOURN was again elected mayor of Milwaukee in 1854. He was the democratic candidate for United States senator in 1855. It is claimed that no man in Wisconsin has made so many railroad speeches, or has so often presided over state and district conventions and other public meetings, as BYRON KILBOURN. He was a man of great power both physically and mentally, and did very much to develop the material interests of the state in its early days.

In the fall of 1868, Mr. KILBOURN went to Florida for

the benefit of his health, where he died suddenly of apoplexy, on the 16th of December, 1870, in the seventieth year of his age.

HON. RUFUS KING.

Gen. RUFUS KING was born in New York city, January 26, 1814. He was the son of CHARLES KING, who was many years a distinguished editor in New York, and president of Columbia College from 1849 to 1864; and was the grandson of RUFUS KING, who was the first United States senator from New York, minister to England under WASHINGTON'S administration, and was acknowledged, in the early years of the republic, as an able diplomatist, a wise and liberal statesman, a brilliant orator, a genuine patriot, and a philanthropist of enlarged views and true insight. Blessed with such an ancestry, the subject of this sketch possessed the very best early advantages for obtaining an education, and for becoming well versed in governmental affairs.

RUFUS KING graduated at West Point, and was appointed brevet second lieutenant in the corps of engineers, in July, 1833; he resigned his position in 1836, and became assistant engineer on the Erie railroad, a position he held two years. In 1839, he became an editor of the Albany *Advertiser*, and on the accession of Hon. WILLIAM H. SEWARD to the executive office in New York, Mr. KING was made adjutant general, and held the place for the succeeding four years. From 1841 to 1845, he was an associate editor of the Albany *Evening Journal*, then under the general direction of THURLOW WEED. For some years, Mr. KING was commanding officer of the Albany Burgess Corps, one of the finest military companies in the state. In 1845, Mr. KING located in Milwaukee, and became chief editor of the *Sentinel*, a position he held, with complete acceptance to the patrons of that paper, until the accession of Mr. LINCOLN to the presidency in 1861, when

he was appointed by the president minister to Rome, which position he accepted, and was about to proceed to Italy, when the civil war began, by the bombardment of Fort Sumter. Having been educated in the military school, Gen. KING felt that his services were due the government in a military capacity, and, without hesitation, he removed his baggage from the steamer, and in May, 1861, tendered his services to the government. They were gladly accepted, and he was at once appointed a brigadier general of volunteers. He served his country faithfully; for a time, in the defenses of Washington, when he was assigned to the command of what was known as the "Iron Brigade." He was commander of a division at Fredericksburg, Groveton, Manassas, Yorktown, and Fairfax Court House. In October, 1863, becoming somewhat enfeebled in health, he resigned his position in the army, and was re-appointed as United States minister to Rome, where he remained till 1867, when this mission was abolished.

In the fall of 1847, Gen. KING was elected as one of the representatives from Milwaukee to the Constitutional Convention. It is unnecessary to say that a man of his superior ability and extensive knowledge of affairs took a very active and leading part in the framing of our state constitution. He was a member of the committee on executive, legislative and administrative provisions, and served on several special committees. Gen. KING was not a speech-maker, never consuming time simply to make a speech, but he was happy in expressing his views on any subject in remarkably terse and clear language; never using unnecessary words. After the inauguration of state government, Gen. KING served as a regent of the university, visitor to West Point Academy, and, from 1859 to 1861, was superintendent of schools in the city of Milwaukee. He was a man of polished and pleasing manners, generous hearted and patriotic. In all places and at all times, he was the true, refined gentleman, interesting and instructive

in conversation; a writer of great power and elegance, and a genial companion and friend.

On the return of Gen. KING from Rome, he occupied, for a time, a position in the New York custom house, until a failure of his health compelled him to retire from business, when he located at Elizabethtown, New Jersey. He died in New York city of pneumonia, October 13, 1876.

A classmate of Gen. KING, in closing a brief sketch of that gentleman, paid a handsome tribute to his memory in the following paragraph:

In his more than three score years of life, KING filled many spheres of varied responsibility — engineer, editor, soldier, diplomatist, and others of less note, and he did honor to them all; but his chief title to remembrance was his own noble manhood, fervent patriotism, and affectionate disposition, which enshrined his image in the heart-niches of hosts of ardent admirers. Few were warmer in their friendships; none more genial in the social amenities of intercourse; and even in controversy he gave no vent to acerbity of feeling nor rancor of expression. His conversation was sparkling, full of sentiment, rich in reminiscence, and always captivating by its temperate tone and joyous utterance. It was never thrust upon you; nor were you made to sit *under* it as receiving a lecture from one *above* you; but his flowing words soothed you with a calm gentleness, pictured all he said by graphic illustration, and convinced more by magnetizing the heart than by capturing the brain. In writing he had an easy, graceful style, of great purity and elegance; was just, generous and honorable in all he expressed; and, though often wielding a partisan pen, his vigorous blows were given with the mace of a templar knight. It was not within the possibilities of his noble nature to willingly wound a friend, and even for the bitterest foe he always had Christian charity. Ever

> "He kept his temper'd mind, serene and pure,
> And ev'ry passion aptly harmonized,
> Amid a jarring world."

HON. AUGUSTUS C. KINNIE.

AUGUSTUS C. KINNIE was born in Norwich, Chenango county, New York, December 3, 1808. He received an academic education. His general occupation was that of a teacher and farmer. He settled in the town of Troy,

Walworth county, in June, 1838, and both previous to and after his election to the Constitutional Convention in 1847, held several positions of public trust, both town and county. In 1853, he married CECILIA ROSENKRANS.

His services in the convention, while not conspicuous, were valuable and useful, and evinced a thorough appreciation of the great work in hand, and an honest zeal to lay the foundations of the new state on the broad basis of justice and equality.

His after career seems to have been uneventful. He died in the town of Sugar Creek, Walworth county, January 23, 1863.

HON. GEORGE W. LAKIN.

GEORGE W. LAKIN was born in Harrison, Cumberland county, Maryland, March 29, 1816. He was educated at the Wesleyan Seminary, at Readfield, Maine, graduating in 1837. In the same year, he taught school in Livermore, Maine, boarding in the family of ISRAEL WASHBURNE, father of the noted family of congressmen by that name. He commenced the study of law in 1838, at Readfield Corners; came to the west in 1839, spent some time in Missouri, and was admitted to the bar of that state in 1841. After admission to the bar, he came at once to Wisconsin, and opened an office at Platteville, Grant county, in the same year.

In 1847, Mr. LAKIN was elected as a representative from the county of Grant to the Constitutional Convention, and in that body served on the committee on banks, banking and incorporations. He took prominent part in the discussions in the convention, speaking upon many of the most important subjects before it. He had a strong mind, highly cultivated, and, possessing an excellent voice, his speeches were always listened to with marked attention. In 1848, he was elected a member of the state senate, in which body he served two years, ranking among the

ablest men in it, and was valuable and useful in shaping the affairs of the state government.

He was appointed United States district attorney for Wisconsin, in 1849, by President TAYLOR, and held the office till the close of Mr. FILLMORE'S term in 1853, discharging the duties of the position with marked ability and fidelity to the interests of the government. In 1854, Mr. LAKIN removed to the city of Milwaukee, where he has ever since devoted his time to the practice of his profession. His health for some years has not been good. He still resides in Milwaukee, an honored member of its bar.

HON. CHARLES HENRY LARKIN.

CHARLES HENRY LARKIN was born in the village of Stonington, Connecticut, May 12, 1810; was educated in public and private schools, and pursued an academic course; is by occupation a farmer and real estate broker; he removed from Connecticut with his parents, to Alden, Erie county, New York, in 1815, and worked on a farm until sixteen years of age; from that time until coming west, he was engaged in mercantile pursuits, reading law a portion of the time; he came to Wisconsin in 1836, and settled at Milwaukee; was elected sergeant-at-arms of the territorial legislative assembly in 1845; chosen a member of the second Constitutional Convention which framed the present state constitution, in 1847. He did not take prominent position in the convention, but was in constant attendance and exercised strong sense in his advice and action. Being of an extremely genial nature, no man was more popular with his associates than was Mr. LARKIN. He was appointed county treasurer; appointed pension agent by President BUCHANAN, and served four years; was elected sheriff of Milwaukee county in 1860, and served two years; served four years as school commissioner, and has been one of the commissioners of public debt of Milwaukee for five years; was elected state senator in 1865, and re-elected in

1867; on the breaking out of the rebellion, he received a colonel's commission, but did not serve, but took a decided stand for the Union, urging the people from the first to lay aside political differences and fight for the Union; was elected to the assembly in 1871, and appointed by Gov. FAIRCHILD a member of the state visiting committee.

Mr. LARKIN is still a prominent resident of Milwaukee, and although seventy years old, is active in discharging his duties as a citizen. He has ever taken pride in the city of his adoption in the west, and has exhibited a lively interest in its growth and prosperity. He has been a resident of Milwaukee from its earliest days, and has witnessed every step in its progress to its present position among the great cities of the country. Mr. LARKIN has an extensive acquaintance in the state, and is a general favorite in all circles in which he moves; genial, cordial, warm hearted, he makes friends wherever he makes acquaintances.

HON. CHARLES H. LARRABEE.

CHARLES H. LARRABEE was born in Rome, Oneida county, New York, November 9, 1820. His ancestral record is thus stated: Paternal — Rev. CHARLES LARRABEE, descendant of a Huguenot pastor who escaped from the massacre of St. Bartholomew in France, and landed at Baltimore, Maryland, with a few of his surviving flock. Maternal — Descended from JOHN HAYNES, colonial governor of Massachusetts, and then of Connecticut, and JOSHUA HATHAWAY, one of six brothers who carried muskets side by side at the battle of Bennington, and who was selected to remove the first spadeful of earth at the commencement of the Erie canal.

Mr. LARRABEE had an academic education, and was by profession an attorney at law. He was married to MINERVA NORTON, at Chicago, Illinois, May 13, 1846, having previously resided at Cincinnati and Springfield, Ohio. He was city attorney of Chicago in 1846; settled in Dodge

county, Wisconsin, March 10, 1847, and was elected a member of the second Constitutional Convention the same year. In this body, he served upon the committee on general provisions, comprising preamble, boundaries and admission of the state, suffrage and elective franchise, internal improvements, taxation, finance and public debt, militia, eminent domain, bill of rights, etc., and throughout, took a leading and prominent part in its deliberations.

After the state was organized, he was elected and for ten years served as judge of the third judicial circuit; was elected a member of the thirty-sixth congress; and in 1878, in his new home on the Pacific coast, was elected a member to frame a constitution for a new state out of the territory of Washington.

His military record was equally brilliant and useful. He enlisted as a private in the first Wisconsin regiment; was major in the fifth, and colonel in the twenty-fourth, serving on the peninsula under Gen. McClellan, and in Tennessee under Rosencrans.

The public career of Mr. Larrabee, both in Wisconsin and elsewhere, has ever been in the highest degree honorable and useful. He has proved himself a gifted statesman, an able and popular judge, and his military record was in all senses patriotic and noble. So long a career in various departments of public life is achieved by but very few, and the bare enumeration is in itself the highest eulogium that could be paid to his merits.

He has resided on the Pacific side of the continent for many years, at divers places, but has finally settled permanently at Seattle, Washington territory. If his life is long spared, it is but reasonable to expect that even higher civil offices are in store for him.

HON. HOLLIS LATHAM.

Hollis Latham was born in Northfield, Washington county, Vermont, enjoyed a common school education, and

was by profession and occupation a farmer. He removed to Milwaukee in 1836; settled in Elk Horn, Walworth county, February 27, 1837; was married to LEMIRA BRADLEY in April, 1838; and for a long period endured all the vicissitudes and hardships of pioneer life.

He was elected a member of the Constitutional Convention in 1847, serving on the committee on executive, legislative and administrative provisions, and was noted for the fidelity with which he discharged every duty.

Like most early settlers, Mr. LATHAM has filled many important local positions, among which we note clerk of county supervisors, for eight years; county treasurer, three years; justice of the peace, sixteen years; county superintendent of the poor, twenty-four years; trustee of Wisconsin institute for deaf and dumb, nineteen years; member of assembly in 1862, besides numerous minor town offices. In a long, active and useful career, he has filled every station acceptably and with scrupulous fidelity, and the universal verdict is, "well done, good and faithful servant." His public as his private record is equally noted as unblemished and without reproach.

HON. JAMES T. LEWIS.

JAMES T. LEWIS was born in Clarendon, Orleans county, New York, October 30, 1819. His father was SHUBAL LEWIS, and the maiden name of his mother, ELEANOR ROBERTSON. He enjoyed an academic education, and for many years followed the profession of law, but of late that of a farmer; settled at Columbus, Wisconsin, in the summer of 1845, and was married, July 23, 1846, to OLIVA M. STURGES.

Mr. LEWIS held the office of district attorney, judge of probate, and court commissioner, previous to his election as a member of the Constitutional Convention, in 1847, at the age of 28. In that body, he served on the committee on schedule and other miscellaneous proceedings; but, as

the record shows, took a prominent part in all its most important labors; was not a frequent, but a good speaker, and was in every sense an intelligent and useful member.

In 1852, Mr. LEWIS was elected a member of assembly; in 1853 to the senate, and in 1854 lieutenant governor, after which he resumed his profession, until 1861, when he served one term as secretary of state; and in 1863, was elected governor, and held that position from January 1, 1864, to December 31, 1866.

Gov. LEWIS held the executive office during a very crtical period of the great war of the rebellion, and has left a record of exalted patriotism and zeal for the cause of national union, worthy alike of himself and of the state he so well represented. As all this has in its detail already passed into history, it is necessarily omitted in this sketch. Suffice it to say, that in every public position held by him, of all grades, the duties have ever been acceptably and honorably discharged. In a long career of usefulness he has ever preserved the love and respect of all parties, and borne a character for uprightness and integrity which no one has ever ventured to assail. Ever a high minded and worthy citizen, a wise counselor, and reliable friend to all about him, he seems to have inherited by natural impulse the sympathies and good will of every one; and this feeling has in no manner abated since his retirement. That he may long survive to witness the fruits of public labors in which he so largely and conspicuously participated, will be the heart-felt prayer of every one who knows him.

HON. FREDERIC S. LOVELL.

[Mr. LOVELL was a member of both Constitutional Conventions. For sketch, see page 113.]

HON. SAMUEL W. LYMAN.

SAMUEL W. LYMAN was born in Massachusetts in the year 1796. He was among the first settlers in Hustisford, Dodge county, and followed farming as a usual

avocation. In 1847, he was elected a member of the Constitutional Convention, and, without achieving special prominence, was regarded by all his associates as an intelligent and valuable assistant. He seems to have avoided public life after the state organization, unless perhaps in local position, following his ordinary pursuits in quiet, without ostentation or ambition for place. He was in all senses a worthy and useful citizen, kind neighbor and valued friend. He died some twelve or fifteen years ago, but the date has not been furnished.

HON. MORGAN L. MARTIN.

MORGAN L. MARTIN was one of the most conspicuous and distinguished among that band of pioneer settlers who early gave a national reputation to Wisconsin. He was born in Martinsburg, Lewis county, New York, March 31, 1805, and graduated at Union College, New York, in 1824, following the same by a thorough legal education. In 1826, he removed to Detroit, Michigan, and the next year settled at Green Bay, where he has ever since resided.

In 1831, he was elected a member of the legislative council of Michigan, serving until 1835. In 1838, he was elected to the territorial council of Wisconsin, and served continuously through all sessions to 1844. In 1845, he was elected as territorial delegate to congress for two years. On the failure of the first constitution to be ratified by popular vote in 1846, he was elected a member of the Constitutional Convention in 1847, and was chosen president of that body. As he, in this position, appointed all committees in connection with other duties, his record is less marked in some respects than that of some others; and yet the part he took in debate and upon the floor was in the highest degree creditable, and materially guided the deliberations and conclusions of the convention. His remarks on exemption, internal improvements, banking, public lands, judiciary, boundaries and miscellaneous provisions

are especially noticeable for vigor, directness, profound legal learning, personal knowledge of the subject matter of debate, and natural bearing upon the future of the new state. He was especially distinguished in presiding, for uniform dignity and courtesy, and merited, as he received, the highest testimonials of respect from all his associates.

In 1855, he was elected a member of the assembly, and in 1858, to the senate. In 1861, he was appointed paymaster U. S. A., serving until the suppression of the rebellion in 1865. In 1873, he was again elected to the assembly.

Throughout a public career of great and unusual length, covering much more than the whole period of Wisconsin's local annals, Mr. MARTIN has borne an eminent and distinguished part, and it is but faint praise to say, as the united testimony of all, both associates and citizens, that it has been one of honor, uprightness and dignity,—reflecting the highest credit not only upon himself but upon those so ably represented. To great natural abilities, he added the matured results of profound research, and a wide range of intellectual culture, enriched by a personal experience which few indeed, even among pioneers, had opportunity to enjoy. Although representing a party, he was never a partisan, and it is a pride to record, was ever more of a patriot than politician. His military services, although less showy, were in no sense less important than his civil career, even if forgotten, as is the case with so many others who periled health and life in defense of national union. At home among personal acquaintances, no citizen ever stood higher in public estimation, or had warmer friends. His whole career has been above suspicion as above reproach. Old age finds him surrounded by universal respect and reverence for years and wisdom,—the benefactor of multitudes, the friend of all. That he may long survive to witness the maturing work in large part of his own genius and labors, is the earnest hope of

all, and especially of those who have enjoyed his more intimate acquaintance.

HON. SAMUEL R. MC CLELLAN.

SAMUEL R. MCCLELLAN was born in the town of Coleraine, Franklin county, Massachusetts, March 19, A. D. 1806. His father, Capt. ROBERT MCCLELLAN, was a son of Col. HUGH MCCLELLAN, a soldier of the revolution. His mother, SARAH TODD DUNCAN, was born in Londonderry, New Hampshire, a daughter of GEORGE DUNCAN, one of the early settlers of that town. The death of his father before he was five years old was a great blow to his mother, who was left with five children — three girls and two boys — of whom he was the elder. At the age of nine years he went to live with an uncle, his father's brother, JOHN MCCLELLAN, M. D., who proved a second father to him.

At an early age he commenced the study of medicine with his uncle, and in 1826, attended medical lectures in Boston. He returned to Columbia county, New York, the residence of his uncle, with whom he studied in the spring of 1827, and soon after was licensed to practice medicine by the medical society of that county. After practicing with his uncle a year and a half, he removed to the village of Claverack, seven miles from his uncle's residence, where he remained two years and a half. In the fall of 1830, he was married to CATHARINE GARNER, orphan daughter of MARTIN GARNER and CYNTHIA HUYCK GARNER, of the town of Ghent, Columbia county. Soon after his marriage he went back to the village of Johnstown, the residence of his uncle, and practiced with him five years. In the spring of 1836, he removed to the city of Hudson, and very soon acquired a full practice, and in the spring of 1839, was complimented with an honorary degree from the Jefferson Medical College of Philadelphia; was president and censor of the medical society of Columbia county several years, and

served four years as delegate to the medical society of the state of New York. After eighteen years of hard labor in his profession, he felt that he was wearing out and a change of some kind seemed absolutely necessary for him, and having a family of four sons and three daughters, he decided to emigrate to the west. He landed at Southport (now Kenosha), July 5, 1845. Here he rested a few weeks to recruit his health, and in the fall of the same year, he began to improve his farm in the town of Wheatland (now Randall), and moved on it the following winter.

In the fall of 1847, he was elected from the county of Racine a member of the Constitutional Convention which formed the constitution of this state. He served on the committee on the judiciary, and was an intelligent, hard-working and highly respected member of the convention. He early interested himself in agricultural pursuits, and served three years as president of the agricultural society of Kenosha county; was elected senator of the eighth senatorial district in the fall of 1857, and served with great acceptance to his people during the regular term. He afterward removed to the city of Kenosha and practiced his profession nearly nine years, when he again retired to his farm, where he now resides. His post-office address is Wilmot, Kenosha county, Wisconsin.

Dr. McClellan is still engaged in the practice of his profession, and is deemed a very skillful physician. As a citizen, he stands very high with his people. He is now (1880) in the seventy-fifth year of his age, but retains both his mental and physical vigor in a remarkable degree. His life has been a long and a busy one, that has been of great usefulness to the world.

HON. WILLIAM MC DOWELL.

The father of Mr. McDowell, also named William, was born in the county of Cavan, Ireland, February 4, 1762, and was married to Rachel McClintock, a native

of Carlisle, Pennsylvania, June 29, 1795. Her father held a captain's commission during the war of the revolution, in which he served on the colonial side. WILLIAM McDOWELL was born in Newton, Frederick county, Virginia, March 27, 1805; received a common school and academic education, and was by profession a farmer. He married ANN E. CLINGMAN, of Sciota county, Ohio, January 5, 1830, from whence the family removed to Wisconsin, and settled in Clarno, Green county, in June, 1842. He has filled various local positions of importance; was county treasurer, town clerk, superintendent, and, for a period of twenty years, clerk of school district.

Mr. McDOWELL was elected to the second Constitutional Convention in 1847, and served in that body on the committee on general provisions, which embraced many of the most important articles in the constitution. He took part in the general debates, but was not specially prominent. He was a gentleman of courteous and affable address, retiring and modest demeanor, possessed of strong native sense, and of excellent culture, and his work was well and conscientiously done. In 1880, Mr. McDOWELL, then seventy-six years of age, was appointed one of the census enumerators for the town of Clarno, Green county, and performed all the duties of the position on foot, visiting every family in his town; and he wrote up his own report without the use of spectacles. His work was well and promptly done, showing that in his old age he retains both mentally and physically the vigor of middle age. In a long career of public usefulness, Mr. McDOWELL has uniformly enjoyed the respect and esteem of all who know him. He is a pure, upright and honest man. His post-office address is Monroe, Green county.

HON. EZRA MULFORD.

EZRA MULFORD was a native of the state of New York, born in 1804, and a physician by profession. He was

elected from Walworth county to the second Constitutional Convention, in 1847, and served in that body on the committee on general provisions, but took no prominent part in the proceedings. He was a gentleman of pleasing address, good cultivation, of retiring habits, and decided ability. No record has reached the committee as to his after career. He died several years ago.

HON. CHARLES M. NICHOLS.

CHARLES M. NICHOLS was born in Albany, New York, in the year 1800, and located on a farm in Cottage Grove, Dane county, about 1845. He was liberally educated. His general occupation was that of a teacher and merchant. He was elected a member of the second Constitutional Convention, in 1847, in the proceedings of which he took a useful, but in no sense prominent, part. A few years later, he removed to Onalaska, La Crosse county, following mercantile business until his death, which occurred about the year 1869.

Mr. NICHOLS was widely known in Dane county, both as a farmer and merchant, and ever enjoyed the confidence and esteem of all who knew him. It is not known that he held any office or official position of any kind after the state was organized.

HON. JOHN O'CONNOR.

JOHN O'CONNOR was born in Bedford county, Pennsylvania, October 16, 1814. He was brought up on a farm, and resided in his native place till the fall of 1844, when he was appointed, by the canal commissioners of the state, superintendent of the weighing department, on the Allegheny Portage Railroad, at Hollidaysburg. He continued in charge of that department until the fall of 1846, when he resigned the office, and came to Wisconsin, locating at Shullsburg, La Fayette county. In 1847, he was elected as a member of the second Constitutional Convention from

La Fayette county, and in that body discharged his duties in a manner highly creditable and useful. While not taking a distinguished part, his strong native sense, keen intellect, and uprightness of character, secured the esteem and confidence of his associates. He died March 29, 1854.

HON. PATRICK PENTONY.

PATRICK PENTONY was elected a member of the second Constitutional Convention from Mequon, Washington county. He was born in Ireland, and at the time of taking his seat, was thirty-five years of age. Of singularly modest and unassuming demeanor, he took no other part in the proceedings than recording his vote upon the various propositions upon which the body was called to pass. He died a few years after the state was organized. The committee have been unable to obtain any details of his personal or family record.

HON. THEODORE PRENTISS.

[Mr. PRENTISS was a member of both Constitutional Conventions. For sketch, see page 132.]

HON. ALEXANDER D. RAMSEY.

ALEXANDER DINWIDDIE RAMSEY was born in Kentucky, November 28, 1803. He was related to the famous DINWIDDIE family of Virginia. He settled in the Upper Mississippi, near Dubuque, in 1825; was a soldier in the Black Hawk war in 1832. He has been a resident of Cassville, Wisconsin, for over fifty years, and has ever lived an exemplary life, honored and respected by all who knew him. He was often called to fill places of public honor and trust by his people. He was a member of the Constitutional Convention of 1847, representing Grant county. He was one of the quiet working members of that body — never making speeches; but his advice on measures was deemed of value, as coming from a man of intelligence and extensive experience, actuated by an integ-

rity of purpose in all things. He died at his residence in Grant county, July 17, 1878, in the 75th year of his age.

HON. HARRISON REED.

HARRISON REED was a son of SETH and RHODA REED, born in Littlefield, Middlesex county, Massachusetts, August 26, 1813. He enjoyed the advantages of a common school and printing office education, and was by profession, generally, a printer, editor, and farmer. He settled in Milwaukee in 1836, and soon after became connected with its first newspaper, both as a compositor and writer. He removed to Madison in 1841, and thence to Menasha, in 1843, where he published a paper for some years, at a later date. In April, 1840, he was married to ANN LOUISA TURNER, of Prairieville (Waukesha), daughter of JOSEPH and MARY G. TURNER, former residents of Oswego, New York. She died in September, 1862. He married as a second wife, August 10, 1869, CHLOE MERRICK, of Sycamore, New York.

In 1847, Mr. REED was elected to the Constitutional Convention, and served in that body on the committee on general provisions, which embraced many of the principal articles under consideration. He was an active, useful and intelligent member, and took part in general debate on a variety of propositions submitted for consideration. He remained in the state, a part of the time connected with the press, until 1862, when he was appointed, by President LINCOLN, tax commissioner for Florida. In 1865, he was appointed special agent of the post-office department for that state and Alabama. In May, 1868, he was elected governor of Florida, and occupied that position until January 8, 1873. In 1878, he was elected a member of the assembly of Florida for two years.

The public career of Governor REED has been a long, varied, and unusual one, even in pioneer experience. He has passed successively through all grades of privation and

labor; witnessed the development of the whole northwest; and the same might almost be said of his southern home. The boy type-setter in time became an editor, law-maker, and executive of a state. He was possessed of a versatile genius, guided by intelligence, a strong will, and honorable ambition. His success has been far beyond the average of men, achieved step by step, by laying hold of favorable opportunities. He is still in the enjoyment of vigorous health, and a promising old age. His post-office address is Jacksonville, Florida.

HON. JAMES D. REYMERT.

JAMES D. REYMERT was born in Norway, in 1821, and at the time of his election to the second Constitutional Convention, in 1847, from Racine county, was an editor by profession. He served in that body on the committee on general provisions, embracing a large number of the most important articles engrafted into the constitution, but he took but small part in the proceedings. In 1849, he was elected a member of assembly. Subsequently, he removed to the northwestern part of the state, and at a later period to the city of New York, where all trace of him ends.

Mr. REYMERT started the first Norwegian newspaper in the northwest, if not in America. He was a man of active habits, cultivated mind, strong will, and zealous in affairs of business. His career for many years past has not been within reach. He is now understood to be a resident of the city of New York.

HON. WILLIAM RICHARDSON.

WILLIAM RICHARDSON was a native of Ohio, born in 1806, and a farmer by profession. He was elected a member of the second Constitutional Convention, in 1847, from Jamestown, Grant county, but took no prominent part in the proceedings. In 1852, he was elected to the legislature as an assemblyman, and was chosen by that legisla-

ture commissioner of the Fox and Wisconsin Improvement Company. Shortly after, he removed from Grant county, and resided several years at Madison. The last heard of him, he was located in Upper Canada. He was possessed of strong native sense, sterling worth, and ever highly esteemed by all who know him.

HON. ELEAZER ROOT.

The father of Mr. ROOT was a native of Connecticut, a physician by profession, and a descendant of THOMAS ROOT, who emigrated from England at an early period and settled at Northampton, Massachusetts. ELEAZER ROOT was born in the town of Canaan, Columbia county, New York, March 6, 1802. After preliminary education, he entered Williams College, Massachusetts, and graduated in 1821. In 1824, he was admitted to the bar of the supreme court of New York, and continued the practice of law until 1830, when ill health requiring a milder climate, he removed to Virginia, and remained in the south until 1845. He then returned north and located at Prairieville (now Waukesha).

Having been largely connected with academic and collegiate education after leaving New York, and previous to locating in Wisconsin, Mr. ROOT turned his attention at once to the establishment of the college, now known as Carroll College, of which he was one of the chief promoters and founders. In 1847, he was elected a member of the second Constitutional Convention from the county of Waukesha, and served in that body on the committee on education and school funds. He was the author, substantially, of the educational article in our present state constitution, as well as of that providing for the founding and organization of the state university. He took no prominent part in the proceedings outside of educational affairs, but upon that subject his speeches were forcible and decisive.

In 1848, by the unanimous approval of both political

parties, he was elected superintendent of public instruction, to put in force the constitutional plan of his own creation, and in 1850, was re-elected by unanimous vote to the same position. He first organized and put into practical operation the common school system of Wisconsin, which had previously been without head and in almost a chaotic condition. He also, as a regent, took part in the founding and commencement of our state university, of which he was ever a patron and devoted friend. He may almost be said to be the father of our entire educational system as it now exists, since his advice and public recommendations cover all the ground now occupied. If his achievements were less than his ambition to excel, it was owing to the adverse conditions of new settlement, a diverse and isolated population, and lack of public sentiment to carry out his plans and purposes.

On retiring from the office of superintendent, he was elected a member of the assembly from Marquette county, to which he had removed; and also served continuously in the board of regents of the university until 1853, when ill health again forced a return to a more southern latitude. Having taken orders in the Protestant Episcopal Church, he is now, and has for a long period been, rector of Trinity Church at St. Augustine, Florida.

Mr. ROOT has been twice married. The maiden name of his first deceased wife was HANNAH DAYTON, of Hudson, New York. That of the second, was LAURA JENKINS, of the city of New York, now deceased.

Mr. ROOT was a gentleman of distinguished abilities, highly educated, dignified in address, of earnest and honest purpose, to whom the educational field was, of all others, at the time, the one most attractive, and to whose improvement his whole mind was enlisted. He filled the most important, if less showy, position of all our public men in pioneer days, and the monument of usefulness he erected will ever remain a chief land-mark

in our history — the one whose blessings will endure for all time.

HON. JOHN HAWKINS ROUNTREE.

The ancestral record of this eminent and venerable pioneer settler is as follows: His great-grandfather, RANDALL ROUNTREE, emigrated from Ireland in 1720, and settled in Virginia, where he resided until his death. His grandfather, THOMAS ROUNTREE, removed from Virginia to the vicinity of the Mammoth Cave, Warren county, Kentucky, in 1795, with his family, in which he remained until he died. JOHN ROUNTREE, his father, also settled in the same place, which was his residence until his decease. JOHN H. ROUNTREE was born in the same locality, March 24, 1805. He received an education which he describes as "very common school"—the school house being composed of unhewn logs, with holes cut for windows, and the primitive fire-place for heating purposes. His principal occupation during life has been farming, although many years were devoted to lead mining and smelting.

Maj. ROUNTREE removed from Kentucky to Hillsboro, Montgomery county, Illinois, in February, 1824, where he was appointed a deputy sheriff, and served as such until he reached his twenty-first year, when he was elected sheriff, a position that he resigned when he emigrated to Wisconsin in 1827. May 24th of that year he reached New Diggings (now in La Fayette county), remaining until November, when he settled at Platteville, in what is now Grant county, where he has ever since resided, a period of fifty-three years. August 7, 1828, he married MARY GRACE MITCHELL, of Galena, Illinois, and the next day removed to his log cabin in Wisconsin. Mrs. ROUNTREE died in 1837. September 3, 1839, he was again married to Miss LYDIA H. SOUTHWORTH, of Platteville.

The numerous public positions held by Major ROUNTREE are the best evidence of his high standing among his neighbors, for a period of over half a century. In

May, 1826, he was commissioned as major of Illinois militia, and the same year elected sheriff of Montgomery county, in the same state. In 1829, he was appointed postmaster at Platteville, and several times re-appointed; also the same year appointed and commissioned justice of the peace for Iowa county, Michigan, of which Wisconsin was then a part, there being then but three counties within its present limits. In 1832, he was elected captain of a company of mounted volunteers, enlisted to serve in the Black Hawk war. In 1834, he was appointed chief justice of the county court of Iowa county, by the governor of Michigan, which position he held until the territory of Wisconsin was organized, in 1836. In 1837, he was appointed judge of probate of Grant county, which was organized that year. In 1839, he was commissioned as aid to governor, with rank of colonel. In 1838, he was elected a member of the territorial council for four years, and in 1842 was re-elected to the same position, for the same term. In 1847, he was elected a member of the Constitutional Convention, serving in that body on the committee on general provisions, which embraced a large number of the most important articles under consideration, as well as upon several select committees. In 1850, he was elected to the state senate, and, in 1851, appointed a regent of the state university. In 1853, he was appointed major general of militia of the second division of Wisconsin. In 1857, he was appointed postmaster of Platteville; in 1863, was elected a member of assembly; and, in 1866, again elected to the state senate; thus having served in the territorial and state legislatures longer than any other citizen.

This lengthy recital of honors and official positions bears upon its face the highest testimonial that could be furnished of the unbounded esteem and confidence of the communities in which he has lived, in the sterling worth, integrity and ability of this veteran representative of pioneer times.

Among early experiences in Wisconsin, it is deemed worthy of note that Gen. ROUNTREE built the first lead smelting furnace within the limits of what is now Grant county, and celebrated his first Fourth of July, 1827, on the central mound of the three Platte mounds. When he located in the territory, Wisconsin had but two counties, Brown and Crawford, and these were a part of Michigan. He has been a witness of the whole growth of the northwest; took part in an Indian war; seen the aboriginal tribes disappear; the surveys that mapped about all the country into geographical divisions; the commencement of white settlement, and its advance and increase; the beginning of every existing town, city and village, except two or three military posts; all the mighty changes and improvements, indeed, that in fifty years have converted this great and uncivilized wilderness of nature into a powerful state, with its population of a million and a half of intelligent, thrifty and free people. Such an experience is the lot of but few. Gen. ROUNTREE may well be regarded and venerated as a land-mark between the past and present, who has lived over the whole term of our local history, and, by personal connection, largely assisted in making it.

HON. HORACE T. SANDERS.

HORACE T. SANDERS was born in Sheldon, Genesee county, New York, May 1, 1820. He received a collegiate education, and was by profession a lawyer. In May, 1842, he settled at Racine, Wisconsin, and was soon after elected district attorney for the county, a position he held for many years under both the territorial and state governments. March 4, 1848, he was married to EUNICE WENTWORTH.

He was elected a member of the Constitutional Convention in 1847, and served in that body on the committee on general provisions, which embraced the consideration and preparation of many of the most important articles in the new constitution. He took a prominent part in the gen-

eral debates and proceedings of the body, and by his thorough legal training, education and intelligence, rendered very useful and valuable services. Mr. SANDERS served as a member of the assembly from Racine, in 1853, and took a prominent part in the proceedings of that body. He was chairman of the committee of managers in the trial of the impeachment of Judge LEVI HUBBELL, and was a leading representative of the assembly before the high court of impeachment.

In 1862, he was appointed colonel of the 19th Wisconsin regiment of infantry, and was assigned for service to the 18th army corps. Among other duties he was appointed provost judge of the city of Norfolk, Virginia, and a brigadier general by brevet. The fatigues and hardships of several campaigns in the field, with consequent exposure, proved too much for his physical constitution. He died from injuries received and excessive labor, on the 6th of October, 1865, having lived long enough to witness the final triumph of the union cause.

Mr. SANDERS was a gentleman of decided abilities, forcible and ready in debate, highly cultivated, of wide and varied reading in both law and literature, affable and courteous, and highly respected by all. Like so many others of our most eminent citizens, he vindicated his patriotism and love of country by laying down his life for it, having been worn out in its military service. His record and career were alike noble and honorable.

HON. GEORGE SCAGEL.

The grandfather of Mr. SCAGEL was of English descent, born October 25, 1736. His wife, RACHEL LEE, was of Scotch descent, and was born January 30, 1733 (O. S). His father was GEORGE SCAGEL, of Maine, born October 8, 1765, who married SALLY PIERCE, said to have been a relative of President PIERCE, who was born June 2, 1767. The family removed to Vermont, and were

among its earliest settlers. GEORGE SCAGEL, the subject of this sketch, was born in Waterbury, Vermont, December 29, 1798. He received a common school education, and adopted farming as a profession. May 2, 1819, he married DEBORAH HUNKINS. The family removed to New Berlin, now in Waukesha county, in May, 1846. Previous to removing from Vermont he had filled the office of justice of the peace for several years, occupying an office with PAUL DILLINGHAM at the time that Hon. MATT. H. CARPENTER commenced his legal studies in the same office.

Mr. SCAGEL was elected to the second Constitutional Convention in 1847, from Waukesha county, and served in that body as a member of the committee on general provisions, which embraced a great number of articles. He took only a small part in general debate, but was regarded as a useful member, much respected by all. It is recorded of him, under the head of "experiences, humorous or otherwise," that before his nomination, the new settlers got together and discussed the matter, when they found that he was the only citizen of the town who possessed a suit of clothes good enough to be seen in such a body as the convention, and, to save some one else from the expense of purchasing the needful outfit, it was decided that he was the proper person to send as delegate! The story is good enough to record, even if it should turn out not literally true.

Mr. SCAGEL died at his home in New Berlin, August 30, 1850. His wife died in June, 1877, aged eighty years.

HON. MORITZ SCHŒFFLER.

MORITZ SCHŒFFLER was born at Zweibrucken, in the Bavarian Palatinate of the Rhine, March 8, 1813. His parents' names were CONRAD and DORETHEA SCHŒFFLER. After receiving a fair education, he learned the art of printing, which was the foundation of his future success

and eminence. After pursuing his calling with marked success in various places in his native country, Mr. SCHŒFFLER concluded to try his fortune in the new country, and he arrived in New York on the 8th of September, 1842. He spent a short time in the cities of Philadelphia, Pittsburgh, Cincinnati, Louisville, St. Louis, Jefferson City, and other points, working at his trade, and arrived in Milwaukee early in the year 1844, bringing with him the type for a small German printing establishment, which place was ever afterwards his home. On the 7th of September, 1844, he brought out the first number of the *Wisconsin Banner*, the first German paper ever published in the then territory of Wisconsin. The new paper took strong ground in favor of the admission of Wisconsin into the Union. In 1845, Mr. SCHŒFFLER was elected the first German school commissioner in Milwaukee. In September, 1847, the semi-weekly *Banner* was established; and in November of that year, he was elected as a representative of Milwaukee county in the convention to frame a state constitution. He was an able and active working member of the convention; he drafted and advocated many of its liberal features, among others, that relating to the elective franchise. He was a true American in feeling, and exerted all his influence in endeavoring to induce his old countrymen to settle in this country. On the 12th of January, 1850, the *Banner* appeared as a daily; and, in 1855, the editor of the *Volksfreund* died, and Mr. SCHŒFFLER purchased that office and consolidated the two papers, under the name of *Banner und Volksfreund*, with which paper he remained until the 14th of September, 1874. He held the office of register of deeds for one term (1850, 1851), and was collector of customs in 1857, under JAMES BUCHANAN. He was a firm friend of the cause of education, and was one of the founders of the German-English Academy, now a flourishing institution. As a speaker, he was ready and forcible. He was a man of generous im-

pulses, and liberal to the needy. He died at his residence in Milwaukee, of consumption, on the morning of December 6, 1875, after a long and severe illness, in the sixty-third year of his age. He was one of the oldest and worthiest pioneers of the German-American press in the west, the Nestor of German journalism in the United States; honored and respected by all — Americans and Germans — alike.

HON. THEODORE SECOR.

THEODORE SECOR was born in the state of New York in 1815. He settled at an early period in Mount Pleasant, Racine county, following farming as a profession. In 1847, he was elected a member of the Constitutional Convention, serving upon several select committees, and performing much valuable work. He was a gentleman of kind impulses, and sincere and honest purposes, who in all positions discharged his part with scrupulous fidelity.

Some twenty years ago, he settled in New Lisbon, and there served as a member of the board of supervisors, and in other local capacities; and some three years ago, he removed to Spencer, in the state of Iowa, where he now resides.

HON. SILAS STEADMAN.

SILAS STEADMAN was a native of Massachusetts, born in 1784, and by profession a farmer. He was elected to the second Constitutional Convention in 1847, from Sheboygan county, and served in that body on the committee on education and school lands. Otherwise than this, the part he took in the proceedings was not prominent. He settled at Sheboygan Falls in 1837, with his family. The maiden name of his wife was ELIZABETH B. BOLES. The public positions he held, other than named above, were sheriff of the county, post-master, and many others of local importance. Like all pioneer settlers he had many rough experiences, and at first suffered from lack of supplies of

food. He was noted for sterling native sense, a strong will, frankness, sincerity, and generosity, and an enthusiastic patriotism. It is recorded of him that at one time, to get up a bonfire as part of a fourth of July celebration, in the absence of needed fuel, he set fire to one of his own buildings, greatly to the delight of his friends and associates. He died several years ago.

HON. HARVEY G. TURNER.

His father was JOSEPH TURNER, a native of Shaftsbury, Vermont; mother, MARY GRISWOLD, a descendant of the GRISWOLDS of Connecticut. He was born in East Oswego, New York, June 7, 1822, received an academic education, and is by profession a lawyer. May 4, 1846, he was married to EMELINE GRISWOLD TEALE at Port Washington, Wisconsin. He settled at Waukesha in 1840, entered the law office of FINCH & LYNDE, Milwaukee, in 1842, and in 1844 was admitted to the bar, removing immediately thereafter to Grafton, Washington county,—the first lawyer to locate therein. He was appointed district attorney, and held the office for many years after by election, as also numerous local offices, both before and after the state was organized. In 1847, he was elected to the Constitutional Convention, from Washington county, in which body he served on the committee on executive, legislative and administrative provisions, and also upon one or two select committees. As he was the youngest member of the body, of modest and retiring habit, and no disposition to push himself forward, the part he took in general debate was not prominent, but his services otherwise were in all respects useful. In 1851, he was elected to the state senate, and served for two years. Subsequently, he removed to Manitowoc, where he now resides.

Mr. TURNER is a gentleman possessed of fine abilities, improved by culture and long study, and his career has been a credit to the legal profession, in which his life has

been chiefly passed. He has for many years avoided public life. He has ever been held in high respect and esteem by all who know him.

HON. ABRAM VANDERPOOL.

The father of Mr. VANDERPOOL was from Holland, and settled at Kinderhook, Columbia county, New York. His mother was a native of Massachusetts. ABRAM VANDERPOOL was born at New Canaan, Columbia county, New York, April 1, 1807. He received an academic education, and adopted the occupation of a farmer. He was married January 10, 1825, to Miss CHRISTINA GIFFORD. He has resided at different times in Columbia and Oswego counties, New York, and in Iowa and Wisconsin. He located at Jefferson, Wisconsin, June 11, 1838. In 1847, he was elected as one of the representatives from Jefferson county to the second Constitutional Convention, and in that body served on the committee on education and school funds. He ranked among the best working members; was attentive to business, practical in his ideas, sensible in all things; and, while he was not a speech maker, he could express himself fluently and to the point, on the subjects before the convention. He was a strong man, possessing sterling qualities of head and heart.

Some time after the convention, Mr. VANDERPOOL removed to Waterloo, in Jefferson county, and represented that district in the assembly of 1850; was chairman of the county board of supervisors several years; went to the war as captain of company E, in the 12th Wisconsin infantry, under Col. GEO. E. BRYANT; was a good soldier, and in the service contracted a disease, from the effects of which he died in Fond du Lac, in September, 1874. He was a good man in all walks of life.

A friend writes, that when the family settled in Jefferson, the man that owned a cow was rich. The principal living consisted of corn bread, milk, maple sugar and fish. Some

lucky hunter would occasionally kill a wild hog or deer, which would be divided with the neighbors, and the rare treat would be relished by all.

HON. JOSEPH WARD.

JOSEPH WARD was born in the state of New York in 1804, and was by occupation a merchant. He was elected, in 1847, to the second Constitutional Convention from Dodgeville, Iowa county, and served in that body on the committee on schedule and other miscellaneous provisions. He was a very prominent and widely known citizen throughout the territory and state, a gentleman of excellent judgment, clear perceptions, fine culture, and greatly respected by associates. He married a daughter of Gov. HENRY DODGE. Of his subsequent personal career, other than that he was long engaged as a merchant in Milwaukee, from whence he removed to California, the committee are without information. He died many years ago.

HON. ALLEN WARDEN.

ALLEN WARDEN was born in Auburn, Cayuga county, New York. When elected to the second Constitutional Convention, he was only twenty-six years of age. He settled in Wiota, La Fayette county, in June, 1842, having previously received an academic education; general occupation, merchant, miller and farmer; was married June 14, 1846, to LUCINDA MILLER, and resided from 1842 to 1875, either at Wiota, Darlington or Beloit. He descended from revolutionary stock, his grandfather having been a soldier under Gen. ETHAN ALLEN, and continued in the service from the commencement to the close of the war for American independence.

During an active and somewhat prominent career in both territory and state, Mr. WARDEN filled many public positions, among which were those of post-master, county commissioner of La Fayette county, presidential elector

for second term of Mr. LINCOLN, and first term of Gen. GRANT. His opponent for the position of member of the Constitutional Convention was W. S. HAMILTON, a son of ALEXANDER HAMILTON, a distinguished leader in the revolution and the period succeeding the formation of the federal union.

In the convention, Mr. WARDEN served on the committee on education and school funds. He took rather a passive than active part in the proceedings of the body, owing doubtless to his youth at the time; but his name is found recorded on all the propositions that came up for consideration as well as the articles finally adopted, and show close attention and keen appreciation of everything connected with the very important work in hand.

The present residence and post-office address of Mr. WARDEN is Lamar, Barton county, Missouri.

HON. WILLIAM A. WHEELER.

The ancestry of Mr. WHEELER was English on the side of his grandfather, while his mother was of French extraction. The family settled in New England at an early date. He was born in Fairfield county, Connecticut, October 3, 1814, and after receiving a good common and select school education, became by trade and profession a mill-wright, machinist and engineer. September 18, 1836, he married CAROLINE P. LUCE. In September, 1837, he removed to Madison, Wisconsin, where he has ever since resided, or in the towns adjacent. He was elected the first assessor in Dane county in 1839, and subsequently a county commissioner. In 1847, he was elected a member of the territorial legislature, and the same year to the second Constitutional Convention, in which he served on several select committees, and his labors were in all senses useful and honorable, although not specially prominent. In 1854, he was elected county treasurer. After filling numerous local offices, he was, in 1863, commissioned by President

LINCOLN as captain and commissary sergeant, and served in the commissary department of the army until the close of the war, being stationed at Cumberland Gap when Gen. LEE surrendered. August 9, 1865, he was brevetted by President JOHNSON as major.

Mr. WHEELER, it may almost be said, was the builder, if not originator, of nearly all the first grist and saw mills in Dane county. His mark was put indelibly upon our streams; and the steam machinery that propelled the mills, as well as the first power press in our printing offices, was put together by him, without ever having previously seen one. He is a gentleman of fine culture, of large inventive and mechanical genius, and in all respects highly gifted, and his career has been one of greatest public usefulness from the beginning. For a period of over forty years he has enjoyed the highest respect of all classes of citizens, of which he was eminently worthy and deserving.

HON. EDWARD V. WHITON.

Among all the public men whose lives have ennobled and honored the annals of Wisconsin, no one has ever held a higher position in public estimation, if indeed any rank as the peer of Mr. WHITON. He was one of the ablest of its public men, and ever retained this precedence among the leading minds of his time, undisputed and unquestioned.

EDWARD V. WHITON was the son of JOSEPH WHITON, a soldier of the revolution and of the war of 1812, and was born in Lee, Massachusetts, in 1805; and, after a thorough preliminary education, made the study of the law his profession, the practice of which he commenced at Janesville, Wisconsin, in 1837, at about the beginning of our territorial government. In 1838, he was elected to the lower house of the legislature, and re-elected to the same position in 1839–40, 1841. In 1842, he was elected a member of the council, in which he served until 1846. He was then elected a member of the Constitutional Convention,

where his name appears second upon the judiciary committee, Chief Justice DUNN being chairman. His labors in this body were in the highest degree important, and won respect and admiration not only from his associates, but from the whole population of the territory; so much so, that in his after career party politics were pretty much ignored, and had little effect upon his fortunes as a judicial officer. He was, at the first election under the new constitution, elected circuit judge of the district in which he resided, which, under its provisions for the first five years, placed him on the supreme bench, where for a season he presided as chief justice. Upon the organization of the separate supreme court, under the law of 1852, he was elected chief justice by popular vote, and in 1857 again elected — holding the position to the date of his death, April 12, 1859, in his fifty-fourth year.

It is impossible in a brief sketch to do anything like justice to one whose whole career was so strikingly marked by every characteristic of true greatness. He was profoundly educated, not only in law, but in the minutest details of the history of his country. Possessing a memory of unfailing tenacity, the vast stores of learning he had accumulated were ever at instant command, arranged in logical order, available to illustrate any mooted point, either in law or political science; and his decisions upon the bench, going far beyond the mere letter, looked at all surroundings, forecasted the future effect upon society, which was carefully analyzed and thoughtfully considered, and made justice and good order the end, rather than blind obedience to precedent and technicality. He was in its highest sense, not only a great, but a good man, equally adorning both public and private life, and far above the commonplace practices, deceptions and follies of many who have gained a much wider notoriety with far less mental and philosophical ability. The record of his career is indelibly graven on the annals of the state. In 1847, he

married AMORETTE DIMOCK, of Janesville, who still survives.

At the opening of the supreme court on the 11th of May, 1859, Hon. SAMUEL CRAWFORD, who had previously been a member of that court, and an associate with Chief Justice WHITON, spoke as follows:

"May it please your honors, during the present term of this court, a sad calamity to the people of this state has occurred. And it behooves me, however sorrowfully, to announce it before this tribunal. Actuated by the strongest emotions of friendship, and the highest feelings of regard for him of whom I am about to speak, I have the mournful duty to announce the death of EDWARD VERNON WHITON, the late chief justice of this state. During the present term of this court, while engaged in the active duties of his office as chief magistrate here, the dispensation of Providence called him from us, and the hand of death deprived our state of one of the most upright and honest of her public officers. May it please your honors, I speak of him with whom I have been officially connected, whose motives and actions have been to me familiar; and while the sorrow for his loss afflicts me, yet the remembrance of his virtues affords to me, as it must do to all who knew him, a degree of consolation that the memory of a righteous and honest man dwells in the recollections and esteem of those who survive him.

"While discharging judicial functions, associated with him and one of your honors, I had abundant opportunity to appreciate the learning and integrity of our late chief justice, and if the judicial ermine and gown in Wisconsin shall drop from other shoulders hereafter as pure and unsullied as from his, we shall have no cause to feel ashamed. He now rests calmly in an honored grave, with a reputation for ability, honesty of purpose, and gentlemanly courtesy, that many of us might profitably emulate.

"The place that once knew him shall now know him no more, but the remembrance of an upright and righteous man endureth forever."

The preamble and resolutions adopted at a meeting of the bar of the supreme court were then presented and read.

Mr. Justice SMITH, on behalf of the court, spoke as follows:

"The court have heard the announcement of the committee, and the resolutions of the bar, with the deepest sensibility. One who has long been a chief among us has finished his work and left us to be guided by his counsels no more. He has fallen in the midst of his career, mourned,

as he was loved, by the whole people of the state; and not of this state only, but by all those who love virtue and its faithful practice.

"But upon the remaining members of this court, this dispensation of an all-wise Providence has fallen with peculiar force and severity. Our official relations had been so long, so kind, harmonious and fraternal, that, through his mild guidance, the severest tasks of duty became almost labors of love.

"The late chief justice had been identified in one capacity or another with the history and progress of this territory and state. At the first organization of the territory he was called into her councils, and, with slight intermission, had devoted his talents and energies to the public good. He exercised a large share of influence in framing the fundamental law of this state, and very soon after was called to the bench, which he continued to adorn until the time of his decease.

"His main idea seemed to be, to inaugurate, establish and administer a mild government, the basis of which should be equal and exact justice to all persons, and its powers so arranged that the people should be instructed to become the operative element in every department of its administration. In the midst of his usefulness in the accomplishment of such, his beneficent designs, in the very midst of his labors for the public good, he has fallen, but fallen nobly, with honors clustering around him, the reward of high moral, intellectual, patriotic and peaceful achievements.

"A great and good man has left us to mourn his loss, a loss irreparable to the state, and well may the people mourn, for the voice of their best friend is hushed in death. Let us try to bow with humble submission to the Divine will, and say, in our hearts,

> 'God of the just! Thou gav'st the bitter cup,
> We bow to Thy behest and drink it up.'"

It is the order of the court that the foregoing remarks, proceedings and resolutions be entered upon their records.

At a meeting of the Milwaukee bar, held April 14, 1859, Hon. JONATHAN E. ARNOLD pronounced an eloquent eulogy, and referred to the leading points in the life of Judge WHITON, as follows:

"It is not exaggeration to say, that Judge WHITON is identified with the history and growth of Wisconsin. It is probable that my personal acquaintance with him is older than that of any gentleman here present, extending back as it does, to a period of over twenty years.

"At an early period my business required me to go occasionally by the way of Janesville, then containing a single cabin, to the western portion of the territory. On such occasions, I usually sojourned over night at

the house of the venerable Judge HOLMES, just below Janesville, at what was then called Rockport. At that time there was an active contest between Rockport and Janesville, as to which should be the county seat of Rock county. There I learned that a man by the name of WHITON, a secluded old bachelor, living somewhat like a hermit, in a cabin on the prairie, was the strong man in the interest of Janesville.

"Soon afterwards Judge WHITON was elected a member of the house of representatives for the first session of the legislative assembly at Madison. It was there that I first formed his acquaintance. At the next subsequent session he was elected speaker of the house. During those sessions he was a frequent participant in debate, and took an active part in enacting the first territorial code. Up to that time our laws consisted of the territorial statutes of Michigan, and the laws of our own legislature passed at the sessions at Belmont and Burlington.

"The revised statutes were published under his supervision, and took effect on the 4th day of July, 1839.

"During the long session of 1840–41 I was a member of the council, and was a room-mate of the deceased. Then I had an opportunity to know the man, and the high impression I had formed of him was fully confirmed. I then saw the clearness of his intellect, the kindness of his heart, and the simplicity of his character. I saw something, too, of that peculiar element of his life which was not misanthropy, but a tinge of melancholy and disappointment, and learned something of its causes. All that I saw and knew of him, but served to lead me more highly to appreciate his abilities and his unblemished character.

"In 1847, he was a member of the Constitutional Convention which framed the constitution of this state. On the organization of the state government in 1849, he was elected a circuit judge, and under the then system, became a judge of the supreme court. He occupied this position until 1853, when the "separate supreme court" was established, when he was elected chief justice, and re-elected in 1857, and continued to hold the office until he was compelled to leave it, on account of the disease of which he has since died.

"This is a brief epitome of the life and public services of Judge WHITON. Were I to name any one sphere of action in his life in which he was most eminently distinguished, and for which he had a peculiar adaptation, I should say that it was a legislator. His varied information, strict integrity, eminent conservatism and finely balanced mind, all combined to make him a ready debater, and a high minded and patriotic legislator. But it is useless to name any one sphere, when he has filled so ably all the positions which he has ever occupied. Such was Judge WHITON as a private citizen and public officer, and his death is to be mourned, not only as a subject for private grief, but also as a public calamity."

Judge A. D. SMITH, who had been associated with Judge WHITON for many years on the bench, said:

"During the last six years Judge WHITON has been to me, as it were, an elder brother. Our relations have been so harmonious, so kind, so uniformly genial, so entirely fraternal, that we have scarcely thought of official relation, because that has been lost in a common purpose to discharge a common duty dependent upon our personal and common responsibilities.

"Of the late chief justice I can hardly trust my voice or myself to say more. Yet I must say that the last six years of constant companionship with him have been the happiest of my life. Our relations have been, of course, of the most confidential character; laborious, but yet the most pleasant. During our long association, in deliberation upon matters of the gravest concernment, while discussion has been most free and unrestrained, there has never an unkind word, nay, not even a petulant expression been uttered; but all along his official career he preserved on the bench, and in the consultation room, a strictness of propriety which can scarcely be equaled, a conscientiousness which never wavered, a depth of thought and comprehensiveness of the subject-matter ever present, commanding without force, controlling without intrusion, clear and unassuming in his high office, great where he least thought of greatness, but great only wherein man can be truly great — because *he was wise and good.*

"Mr. President, I must be excused. I can say no more. Our friendship was such as is seldom vouchsafed to man. I thank God that it has been vouchsafed to me. This is not the time or occasion to pronounce his eulogy — the wound occasioned by his departure is too fresh to be freely touched. While merit will command its tribute, grief may for the time claim its prerogative of silence."

Judge HUBBELL said that he "came to mourn, not to speak of the deceased; but having, like his learned friend who had preceded him, had the good fortune to be associated, officially, with Judge WHITON, he should do injustice to his own feelings if he did not express his concurrence with the remarks of Judge SMITH. Judge WHITON was a man who always commanded respect. He had an admirably balanced mind, and if not supereminently strong, yet there was such an equilibrium about it that on all subjects he would command an influence which few men ever attain."

Judge MILLER "first met Judge WHITON in 1838, when a member of the territorial legislature. Of all the men there, he was the one whom the stranger would be most likely to select as worthy of confidence. He had met him in various relations, and had always been impressed with

the purity and conscientiousness of the man. The last time he met him was in Madison, last July. He seemed conscious of a failing constitution, and did not apparently possess his usual vigor. But he has gone, and all we can do is to express our grief at his loss. He hoped that the bar of the state would designate some one of its members to prepare a suitable eulogy upon the deceased."

Judge McARTHUR said, "that one of the most gratifying circumstances which so sad an event would furnish, was the large number of those present who were able to speak from personal knowledge of the virtues and endowments of the deceased. It was the custom of the ruder nations, in our earlier history, upon the death of one of their noted champions, to throw a stone upon the place of his repose, as a token of their affection. The progress of civilization had suggested to us a more appropriate method of testifying our regard for the deceased.

"He trusted that the solemn event would prompt us all so to live that when we meet with the final catastrophe of nature there might those remain after us who would celebrate our worth and our virtues."

S. PARK COON "did not feel that he could add anything to what had already been so well said. Judge WHITON was a genial gentleman, a true friend, a sound lawyer, an upright judge and an honest man. While he to-day was rejoicing in his great gain, the people of Wisconsin would hear of his decease with tears of regret. No grave will grow greener than that of EDWARD V. WHITON."

E. G. RYAN said, "it was always unsafe to praise the living. It was only when death had sealed life that we could speak with confidence. But he could say, without fear of contradiction, that Judge WHITON's whole life was one long trail of honorable memories. He had died without a touch of decay, with his professional harness about him, and he believed he had died a happy death. Where the man can be found, in the possibility of the succession, who can make his place good, he could not tell."

BIOGRAPHICAL SKETCHES.

OFFICERS, CHAPLAINS AND REPORTERS.

CONVENTIONS OF 1846 AND 1847–48.

BIOGRAPHICAL SKETCHES.

OFFICERS, CHAPLAINS AND REPORTERS.

PRESIDENTS OF THE CONVENTIONS.

HON. D. A. J. UPHAM.

D. A. J. UPHAM was an early settler in Milwaukee, and held a prominent position in that city till the time of his death, which occurred on the 19th day of July, 1877. He was president of the first Constitutional Convention in 1846, and being a member of that body, a brief sketch of his life and career will be found on page 176 of this volume.

HON. MORGAN L. MARTIN.

MORGAN L. MARTIN was one of the earliest settlers of Wisconsin; represented its territory in the legislature when it was a part of Michigan; has been prominently associated with its affairs during its whole history. He was president of the second Constitutional Convention in 1847–8, and being a member of that body, a sketch of his life and career will be found on page 241 of this volume. He still resides at Green Bay; and although in the seventy-sixth year of his age, is in the enjoyment of a good degree of health, and takes a lively interest in everything calculated to improve the state of Wisconsin. His name is intimately connected with its history from its first settlement.

SECRETARIES OF THE CONVENTIONS.

LA FAYETTE KELLOGG.

La Fayette Kellogg was the son of Rowland and Sarah (Titus) Kellogg, and was born in Elizabethtown, Essex county, New York, February 1, 1819, and received a good education at the same place. In 1838, he came to the west, and first located at Mineral Point, where he spent one year, when, in 1839, he made his home in Madison. He held several town and county offices, and in August, 1840, was appointed clerk of the supreme court of the territory, a position he held until the organization of state government in 1848. His health had become so impaired that he was obliged to give up all business for a few years. In 1851, he again took charge of the office of clerk of the supreme court as a deputy, and discharged the duties of the same till the organization of the separate supreme court in June, 1853, when he was appointed as its clerk, and held the office continuously till his death, which occurred on the 4th day of June, 1878, in the sixtieth year of his age.

In 1845, Mr. Kellogg was elected chief clerk of the territorial house of representatives, and continued to serve in the same capacity by re-elections, at every subsequent session of the legislature, till the close of territorial government. He was elected clerk of the Constitutional Convention of 1846.

It will thus be seen that almost the entire business life of Mr. Kellogg has been devoted to positions of responsibility of a clerical character; and it may be justly stated, that no man was better suited to the discharge of such duties. He was a finished penman, and perfect order and neatness in all things was a part of his nature. His rec-

ords were always models of accuracy and neatness. A blot was torture to him; so also was the slightest confusion in the arrangement of his papers. Everything with him was done in order and on time. The quiet of the clerk's room was his delight; and it may be properly said that he was a natural born clerk.

Mr. KELLOGG was twice married. His second wife survives him. A son succeeds him in the office of clerk of the supreme court.

HON. THOMAS MORRIS M'HUGH.

The grandfather of Mr. McHUGH was Lieut. STEPHEN McHUGH, of the English army, who died in 1835. His maternal grandfather was the Hon. BERRY NORRIS, who died on his estate in Leitrim county, Ireland, in 1842. His father was the Rev. STEPHEN McHUGH, one of the first among Episcopal clergymen who settled in Wisconsin. His mother's maiden name was ELIZABETH NORRIS. She died at Delavan, Wisconsin, in 1846. He died in Camden, Arkansas, in September, 1857.

Mr. McHUGH was born in Mohill, Leitrim county, Ireland, November 22, 1822. After receiving an academic education, he chose law as a profession, and commenced the study in Utica, New York. The family located in Delavan, Walworth county, Wisconsin, in 1844. He was admitted to the bar in Elkhorn, January 18, 1849, and subsequently admitted to practice in the supreme court. He served as secretary of the territorial council during three sessions, commencing in 1847. The same year he was elected secretary of the Constitutional Convention, and discharged the duties of the office in a manner highly acceptable to that body. In 1848, he was elected the first secretary of state of Wisconsin, and held that position from June 5 to December 31, 1849. He was the first to organize the office, to open the various accounts and books, to arrange the school land department for active service, and to make

the first report of plan and proceedings under the laws governing the same. He filled for a season the position of deputy United States attorney general, and was chief clerk of the assembly during the years 1853 and 1854.

Failing health then compelled a withdrawal from public life, and the same year he visited the seaside in the hope of securing relief from salt water bathing. The next year he went to Florida, but his disease was too deeply seated for cure. He died at Palatka, March 19, 1856. He was never married.

The chief characteristics of Mr. McHUGH were a tireless activity, a versatile and winning address, a clear head, and a warm heart. His career was in all respects a prominent one. He rose rapidly to public distinction, maintained his position with credit and honor, and retired from the same only when bodily infirmity prevented further labors. He was singularly modest and retiring in disposition, genial in address, generous to a fault, and, outside of political strife, his friends were as numerous as his acquaintances. His early death was widely lamented.

SERGEANT-AT-ARMS OF CONVENTIONS.

JOHN STARKWEATHER.

JOHN STARKWEATHER was born in Putney, Vermont, September 18, 1816. In 1825, he removed to St. Lawrence county, New York. He was an early pioneer to Wisconsin, arriving at Milwaukee September 18, 1836. In company with the late Hon. GEORGE HYER, Mr. STARKWEATHER carried, on foot, the first mail from Milwaukee to Aztalan, under the direction of SOLOMON JUNEAU, then postmaster at Milwaukee. It took four and a half days to perform the journey. In 1837, he contracted for carrying the mail between Milwaukee and Aztalan, for the term of two years. He lost seven horses on the first trip. Gen. SIMEON MILLS, of Madison, had the contract for carrying the mail between Madison and Milwaukee, and for a time carried it hmself from Madison to Aztalan, to connect with Mr. STARKWEATHER, who was employed by Gen. MILLS to carry between Aztalan and Milwaukee. For two years, the headquarters of Mr. STARKWEATHER was at Milwaukee, but failing health induced him to locate at Aztalan. He states that while a mail carrier he was obliged to change the mail, post the letters most of the time, or send for a neighbor to come who could do it. On one occasion, he was charged with carrying through, a bag of gold, containing $2,000, which was for the commissioners that were building the capitol at Madison. He fell into Rock river, and in his struggles to get out, became very tired, and leaned against a log to rest. Here he fell asleep, and on waking, started away, leaving his bag of gold, and traveled about two miles before he missed it. He turned back, and after walking about one mile, met a stranger

making violent efforts to overtake him. This stranger had found the bag of gold, and knowing it must belong to the mail carrier, was doing his best to get it to him, and was afraid he might take a wrong trail. The name of this stranger was E. G. DARLING, of Jefferson, who has since been well known as an early pioneer and estimable citizen.

Mr. STARKWEATHER has been an extensive bridge builder, during a period of forty-two years. He aided Captain JOSEPH KEYES in the erection of his first mill in Wisconsin, located at Lake Mills.

Mr. STARKWEATHER aided in laying out state roads from Milwaukee to Green Bay and from Milwaukee to Fort Winnebago.

Mr. STARKWEATHER was sergeant-at-arms of the first Constitutional Convention, in 1846. And he writes, that "he was very proud of this position; that Wisconsin never elected a more honorable, honest and unselfish body of men to represent its interests, than was elected to that convention; they were the fathers of Wisconsin."

During the late rebellion, Mr. STARKWEATHER was a government carpenter for about two years, and performed a large amount of work. He says he never wanted office, and always despised an office-seeker; has worked early and late for his party friends, considering his politics his religion; has tried hard to indorse his friends and punish his enemies; but he is now satisfied to remain quiet.

Mr. STARKWEATHER settled in Madison in 1851, which place has been his residence ever since — with the exception of a year or two at Green Bay, till 1879, when he removed to Milwaukee. He was married December 3, 1847, to Miss MARION A. BIRD, eldest daughter of Hon. A. A. BIRD, late of Madison. They have seven children — three sons and four daughters.

EDGAR R. HUGUNIN.

EDGAR R. HUGUNIN is the son of PETER D. HUGUNIN, and was born in Oswego, New York. His occupation was shipping, till 1836, when he settled in the town of Somers, Racine county, Wisconsin, and engaged in farming. In 1837, he was commissioned by Gov. DODGE as sheriff, and served in that capacity till the fall of 1841. In 1844, he was elected sheriff, and held the office two terms; was chairman of the board of supervisors of Somers four years; and was county commissioner six years. He served as sergeant-at-arms in the territorial house in 1847; in the Constitutional Convention of 1847–8; and in the assembly in 1850. He was married March 4, 1847, to MARTHA W. HATCH, of Coldbrook, Maine. In 1850, he went to California, and returned in 1853, and engaged in the stone, brick and lime business in Chicago, where he remained until 1871, when he located in Kenosha, where he still resides.

CHAPLAINS OF THE CONVENTIONS.

REV. CHARLES LORD.

Rev. CHARLES LORD was a son of Rev. HENRY and FIDELIA (GRAVES) LORD, and was born in Williamsburg, Hampshire county, Massachusetts, January 27, 1816. He graduated at Amherst College in 1838; at Andover Theological Seminary in 1842; was ordained at Boonville, Missouri, in October, 1842; he was located by the missionary board at Independence, Missouri, where he remained till 1846, when he was placed in charge of the Congregational church at Madison, Wisconsin. At this place he remained till 1854, when his eyesight so failed him, that he was compelled to resign his charge, and for a time retire from his ministerial labors. During his ministry in Madison he was a very popular man. He bore his part in his chosen field with great fidelity, and with his excellent wife, did much to give caste to the early society of the place.

During his ministry in Madison, Mr. LORD served as chaplain of the second Constitutional Convention, in 1847–8, and of several sessions of the legislature, both territorial and state.

In 1856, he was installed pastor over the Second Congregational Church in Whateley, Massachusetts, where he remained about four years. In 1860, he was located at Buckland, Massachusetts.

August 30, 1843, Mr. LORD was married to Miss CLARISSA LOIS WRIGHT, of East Hampton, Massachusetts; and three children — two daughters and one son — were born to them.

Mr. LORD died at the residence of his daughter, Mrs. ROBERT B. HALL, in Brooklyn, New York, March 28, 1872, in the fifty-seventh year of his age.

Mr. LORD was a man greatly beloved by the people where he labored. He was not an eloquent preacher, but he possessed practical sense; his sermons were plain and pointed, giving evidence that they were the result of honest convictions. He was kind, affectionate, and full of sympathy for those in distress, and ever ready to administer consolation to the afflicted. He was a faithful minister of the Gospel, and was a good man in the truest sense of the term.

REV. STEPHEN M'HUGH.

The parents of Mr. McHUGH were STEPHEN and LITTIA McHUGH. His father was first lieutenant in the Leitrim Guards. He died at Albany, New York, in 1835, and his wife died in Troy, in 1846. They had four children, of whom the subject of this sketch was the eldest.

Rev. STEPHEN McHUGH was born in Mohill, Leitrim county, Ireland, May 2, 1798. He had excellent educational advantages, and graduated at Trinity College, Dublin. He was married, in 1819, at Mohill, Ireland, to Miss BESSIE NORRIS; he was married a second time, in 1849, to Miss CARY, of Racine.

After coming to this country, and before his settlement in Wisconsin, Mr. McHUGH had been the rector of Grace Church, in Utica, New York; St. Peter's, Holland Patten, and had resided at Westmoreland, Oneida county, New York. He came to Wisconsin in 1844, and settled at Delavan, in Walworth county, and located at Madison, in 1846, as the rector of Grace Church in that city. During his ministry in Madison, the two lots on which the church now stands were purchased. He resigned in 1847. While in Madison, Mr. McHUGH served as chaplain to the territorial council of 1846, and to the first Constitutional Convention of the same year. He was a man of high culture, a devoted churchman, and a man highly esteemed for his many excellent qualities of head and heart. Before com-

ing west, Mr. McHugh received a call from one of the wealthiest churches in Albany, which he declined from purely Christian motives, feeling that he could do more good in aiding to build up churches in the west, then a newly settled country, and in need of missionary labor. While in Wisconsin, he organized five parishes, built two churches, and performed much other work for the benefit of the denomination in which he was so thoroughly and sincerely interested.

In 1851, Mr. McHugh removed to Arkansas, where he established two churches — one at Camden, the other at El Dorado. He purchased a large farm near Camden, where he resided until his death, which occurred in 1858. He was very popular in Camden, and had a large number of friends in that place. Members of his church there, wrote to his children, still residing in Wisconsin, "that there never was a clergyman more beloved than he was, in the south." A friend writes: "He always kept an appointment, no matter what the weather was; he never betrayed confidence; always visited the sick and dying, never minding what was the time or the season; never owed any one; practiced hospitality almost to its abuse; every one and any one was welcome. I think he endeavored, in all ways and at all times, to live a good Christian life, and to do his full duty." His son, Hon. Thomas McHugh, was the first secretary of state in Wisconsin. His eldest daughter is the wife of Beriah Brown, now of Washington territory, formerly a prominent editor in Wisconsin; another daughter was the wife of the late H. D. B. Cutler, Esq., of this city, and still resides in Madison.

REV. S. E. MINER.

Rev. S. E. Miner was located at Madison as a missionary in 1844, and for some two years was the pastor of the Congregational church in that place. It was during his ministrations that the first church building in Madison was

erected, and the people were largely indebted to his individual efforts for this church edifice. The building still stands on Webster street, and is owned and occupied by the German Presbyterian church, as their place of worship. Mr. MINER, through some trouble with his throat, rendering it impossible for him to preach, resigned his pastorate in Madison, in 1847, settled in Green county, and engaged in the lumber trade. He is now understood to be in business at some point in the state of Kansas.

Rev. Mr. MINER served as one of the chaplains in the Constitutional Convention of 1846. He was a man of fair ability, and was popular as a minister of the gospel. He was energetic and efficient while in the ministry, in building up the church to which he belonged. He was among the pioneers of the Christian work in the west, and served well in his mission for good.

REV. JOHN PENMAN.

Rev. JOHN PENMAN was located in Madison, in 1847, as pastor of the Methodist Episcopal church, and acted as one of the chaplains in the second Constitutional Convention of 1847–8. He was a man of ability, and was active in building up the interests of the church in which he was a devoted minister. Soon after he left Madison, Mr. PENMAN is understood to have removed to the far west, since which time, the committee have received no record of him; and cannot state with certainty, whether he is still living or not. He was a man of popular manners, and generally beloved by the people with whom he labored.

REV. H. W. READ.

Of Rev. H. W. READ'S early life, nothing has been received. He was educated at the Madison University, located at Hamilton, Madison county, New York, and soon after he graduated, came to Madison, in 1847, and was the first pastor of the Baptist church in that place.

He served as a chaplain in the second Constitutional Convention, and in one or two sessions of the legislature. Soon after the gold discoveries in California, Mr. READ, with his wife, crossed the plains in their own carriage. Most of the time since, he has resided in California and New Mexico. He visited Wisconsin some ten or twelve years ago. Nothing particular in regard to his history is known.

Mr. READ was a man of decided ability, and a graceful speaker. In social life, he was very entertaining and pleasant. He was well calculated to aid in building up a new country, being energetic, affable and kind hearted. He was a popular man with the people. His present residence is not known to the writer, but it is presumed to be at some point on the Pacific slope.

REPORTERS—CONVENTION OF 1846.

JEROME RIPLEY BRIGHAM, ESQ.

DAVID BRIGHAM was one of the early settlers of Madison, locating there in 1839. He died a few years afterwards. He was a brother of Hon. EBENEZER BRIGHAM, the first white settler in Dane county. DAVID BRIGHAM married ELIZABETH F. RIPLEY, in Massachusetts, a sister of GEORGE RIPLEY, whose death was recently announced. Mrs. BRIGHAM died last fall, at an advanced age. JEROME RIPLEY BRIGHAM, son of DAVID and ELIZABETH F. BRIGHAM, was born in Fitchburg, Massachusetts, July 21, 1825. He graduated at Amherst College in 1845, and then located in Madison, where he taught school some two years; was town clerk in 1847; village clerk in 1848, 1849 and 1850. He was appointed clerk of the supreme court of Wisconsin, on the organization of state government in 1848, and held the position until August, 1851. Having been admitted to practice at the bar of the several courts, in 1851, Mr. BRIGHAM removed to Milwaukee, and for a time was a member of the law firm of STOW, RYAN & BRIGHAM; then of WELLS & BRIGHAM, and at the present time (1880) of the firm of WELLS, BRIGHAM & UPHAM. At the city election in April, 1880, Mr. BRIGHAM was elected city attorney of Milwaukee, an office he now fills with much ability and to the satisfaction of the people of that city.

During the Constitutional Convention of 1846, Mr. BRIGHAM was the reporter of its proceedings for the Madison *Express;* and we believe he was a reporter at one or more sessions of the legislature for the same paper. He was a painstaking reporter, giving the substance of the proceedings and debates in clear language, and was accu-

rate in his statements of what did take place. He always gave excellent satisfaction in the capacity of a reporter for the press. He is a good writer, and many of his contributions have graced the columns of the press during his residence in Wisconsin.

Mr. BRIGHAM is a man of decided ability; a thoroughly read lawyer, a finished scholar, a graceful writer, an active politician, and a genial gentleman, popular wherever known, and his acquaintance is extensive in and out of the state.

BERIAH BROWN.

BERIAH BROWN, third son of BERIAH and MARTHA ASHMUN BROWN, was born at Canandaigua, New York, February 21, 1815. His father was a native of Providence, Rhode Island, of English parentage. His mother, MARTHA ASHMUN, was of a Huguenot family, and was born at Blanford, Massachusetts, the homestead of PHINEAS L., LEWIS and GEORGE ASHMUN. In 1829, BERIAH entered the office of the *Advocate*, at Batavia, New York, as an apprentice. The following year he accompanied THOMAS B. BARNUM to Erie, Pennsylvania, to assist in the establishment of the Erie *Observer*. At that place HORACE GREELEY was then an apprentice in another office, and an intimacy was formed between the two boys which lasted through life. On the death of Mr. BARNUM, in 1832, he joined GREELEY, who had preceded him a few months, in New York city, where they roomed together at the "Graham House," then kept by Mrs. NICHOLSON. In 1833, on account of failing health, he returned to his father's home in western New York. The following year he was for a few months associated with SETH LEWIS, afterwards of the Marshall (Michigan) *Statesman*, in the publication of the *Advocate*, the paper upon which he commenced his apprenticeship, which he was forced to relinquish on account of ill health. In 1835, he removed to Michigan, and established the Tecumseh *Democrat*. In 1839, he joined his brother, JOHN A., in the

publication of the Niles *Intelligencer*. In the spring of 1841, he removed to western Wisconsin and engaged in mining, and in the fall of 1844 was elected county clerk of Iowa county. In 1845, he resigned the office of clerk, and established the *Democrat* at Madison, which was subsequently united with the *Argus*, and sold to ANDREW PROUDFIT in 1855. In 1849, he married JEANIE, daughter of Rev. STEPHEN MCHUGH. In 1855, he removed to Delafield, Waukesha county, where he resided until 1859, when he returned to Madison, and was for a short time associated in the publication of the *Argus and Democrat*. In 1860, he established the *People's Press*, in Milwaukee, and the same year purchased a half interest in the *News*, which he left in 1861, and in the winter of 1862, removed to California, and was engaged as editor of the Stockton *Republican*, then the only daily democratic paper in that state. In 1863, the establishment was removed to Sacramento, when he purchased it, and the same year was the democratic candidate for state printer. The material upon which the paper was printed was subsequently broken up and thrown into the street by a mob, after which he removed to San Francisco, and established the *Democratic Press*, daily and weekly, in company with Capt. WILLIAM S. Moss, the present proprietor of the *Examiner*.

In the spring of 1865, that establishment was totally demolished by a mob, the editor forced to flee for his life, and his library and other private property burned in a public street of San Francisco. After spending a few months in Mexico, he returned to California and associated with THOMAS THOMPSON in the publication of the Santa Rosa *Democrat*. In the spring of 1866, he accepted a call as editor and general manager of the *Oregon Herald* at Portland; continued in that position till 1869, when he established the *Democrat Press* at Salem, Oregon. At the democratic state convention, held in March, 1870, a resolution was adopted repudiating the public debt, whereupon

he dissolved his connection with the party, sold his newspaper establishment and left the state, and has taken no part in a political party caucus or convention from that day to the present. After editing the *Standard* at Olympia, Washington Territory, for a year, in 1871, in company with Colonel CHARLES H. LARRABEE, he established the *Puget Sound Dispatch* at Seattle, daily and weekly, the publication of which was merged in the *Intelligencer*, an older publication, the 1st of October, 1878; of which he is now senior editor.

The public positions held by the subject of this sketch in Wisconsin were: clerk of Iowa county; printer to the first Constitutional Convention; state printer for several terms; delegate to the democratic national convention in 1848; presidential elector in 1852; chairman of delegation to democratic national convention of 1856; regent of State University; chairman of democratic state central committee several terms; and defeated candidate for congress in the first congressional district in 1858. In Washington Territory, he has held the several positions of chief clerk of the territorial council; president of the board of regents of the territorial university; clerk of the United States district court, and present mayor of the city of Seattle, all of which places were voluntarily conferred upon him, independent of party caucus or convention; the legislative appointments by unanimous vote; the court appointment at the request of all the federal officials and every democratic lawyer in the judicial district; and the election of mayor of a strongly republican city, over a republican opponent, by the largest majority ever given for a candidate for that position. He is an uncompromising democrat in principle; was a zealous supporter of GREELEY and TILDEN; is an earnest advocate of civil service reform, honest money and the maintenance of the public credit; unqualifiedly indorses the determination of the electoral commission in favor of HAYES, and believes that no president ever held that office

by a better title,—based upon the inviolability of state sovereignty, recognized and confirmed by every department of the government,—executive, legislative and judicial. He is now sixty-five years of age, of vigorous health and cheerful temper.

CHARLES HOLT.

CHARLES HOLT reported the proceedings of the first Constitutional Convention for the Milwaukee *Sentinel*, then the only daily paper in the territory of Wisconsin, furnishing three letters weekly, which was all the mail facilities then permitted. His ancestry were of Connecticut origin. He was born in Herkimer, Herkimer county, New York, March 5, 1817; received a good common school education; and his occupation during life has been that of printer, reporter and editor. He removed to Madison, Wisconsin, in May, 1846; was elected treasurer of Dane county in 1847; removed to Janesville in 1848, and published the *Gazette* for a period of fifteen years thereafter. He was married February 28, 1849, to ELLEN FIELD. Was register of deeds of Rock county in 1858. Removed thence to Quincy, Illinois, and for several years published the *Whig*. Later, he removed to Kankakee, Illinois, where he now resides, and has for many years published the *Gazette*.

The work of Mr. HOLT in the convention was carried on under every condition of personal discomfort, as not even a seat could be obtained on the floor of the assembly hall, and his notes had to be taken in the gallery on loose sheets held in the hand, and written out afterwards as chance offered; yet the minutes of the proceedings were full, accurate and complete. For this labor (and we record it for the information of the profession generally) his compensation was four dollars and fifty cents weekly—about the average daily pay for the same services at the present time.

Mr. HOLT, both as reporter and editor, has ever been

noted as a careful, dignified and fluent writer, a genial companion and worthy citizen. He holds a high rank among the pioneers of the press in the west.

HON. JOSEPH GILLETT KNAPP.

Joseph G. Knapp was born at New Lebanon, New York, September 21, 1805. He received a liberal education, studied law, and settled at Green Bay, Wisconsin, November 20, 1835. He removed to Madison in 1839, and became connected with the Wisconsin *Enquirer* as editor and proprietor. In 1846, he was elected by the legislature as superintendent of public property, and re-elected to the same position in 1848, and continued to hold it till the close of territoral government.

Mr. Knapp ranks among the earliest pioneer settlers of Wisconsin, he having located at Green Bay about 1828. He received a thorough and classical education, and was by profession a lawyer. Coming at so early a period, as it were in advance of legal practice, he embarked in other pursuits from time to time, both from necessity and choice. After some years, and various vicissitudes by "flood and field," he located in Madison, about 1842, and we find him soon after connected with the press in an editorial capacity. In 1846, he was elected superintendent of public property, which position he held until the state was organized in 1848. He had a fine horticultural taste, and Madison is indebted to his efforts for the introduction of the first elm and other ornamental trees among the native oaks that have so long adorned the capitol park. For many years he followed his profession, often, however, mingled with literary or editorial labors. Not only as a reporter of the first Constitutional Convention, but in many departments of political economy, scientific and legal inquiry, his writings were voluminous. About 1862, he was appointed United States district judge of New Mexico. On his return to Madison, he embarked for a season in a newspaper

venture, and a year or two later was employed on the scientific staff of the Southern Pacific railroad, far in advance of the line actually completed. He was one, indeed, who pioneered the route of that great enterprise. This labor over, after a short sojourn in Wisconsin, he located at Limona, in Florida, embarking in orange culture, and has ever since resided there.

The personal characteristics of Mr. KNAPP ever gave him prominence in whatever community he resided. He was highly cultured, profoundly read in nearly all branches of learning, possessed a memory of wondrous tenacity which never lost a fact or principle once fixed, a genial, companionable and pleasant disposition, and took the frowns or smiles of fortune with equal composure. He has from time to time contributed many valuable papers to literary, scientific and historical societies, and thus engraved an enduring mark along the entire line of our state history; and now, in his old age, he is remembered with kindness and respect by multitudes of pioneers of the earlier period. His memoirs should be a part of our historical collections. He was twice married, surviving both partners. At latest date, he was hale and hearty, with the promise of many years of useful and active life still before him.

HON. HORACE A. TENNEY.

The ancestral record of Mr. TENNEY is complete and unbroken from 1638, the date of settlement of the first family of the name in America, at Rowley, Massachusetts, he being of the seventh generation. His father was DANIEL TENNEY, born in Temple, New Hampshire, February 13, 1794, who died at La Porte, Ohio, February 1, 1875. His mother, SYLVIA KENT, was born in Dorset, Vermont, October 26, 1792, and died in Thayer, Kansas, March 31, 1876. The first of this family immigrated from England in 1634, and settled in Newbury, Massachusetts, and the chain of descent is unbroken through eight gener-

ations. She was a second cousin of Hon. JAMES KENT, LL. D., for many years chancellor of the supreme court of the state of New York. DANIEL TENNEY and SYLVIA KENT were married at Dorset, Vermont, October 26, 1815. Mr. TENNEY was a second son of the family, born on Grand Isle, Vermont, February 22, 1820. He received an academic and in part collegiate education, was by trade a printer, and by profession an editor and lawyer, having been admitted to practice in the courts of Ohio in 1841. In 1842, he published the "Lorain *Republican*," at Elyria, Lorain county, Ohio, and in 1843, was elected prosecuting attorney of the county. December 5, of the same year, he married JULIETTE P. CHANEY, daughter of CHARLES and SUSAN CHANEY, of Elyria.

In June, 1845, he visited the territory of Wisconsin with a purpose of finding a western home, and in September of that year, in connection with his brother H. W., commenced the publication of the semi-weekly and weekly *Jeffersonian*, at Galena, Illinois. Owing to the then unhealthy condition of the locality, and to sickness in 1846, he disposed of his paper and removed to Madison, purchasing a controlling interest in the Wisconsin *Argus*. In 1847 and 1848, he was elected territorial printer, and by contract was connected with the state printing until 1852, when ill health compelled his withdrawal. In 1850, he was elected a trustee of the village, and filled that position and that of president for five or six years. In 1852, he was appointed assistant state geologist of the first survey, and, in 1853, located the Saline land grant for the State University. In 1848, he was appointed as volunteer agent to collect its cabinet, and subsequently its librarian, and in both positions met with much success. In 1854, in connection with J. T. MARSTON, he commenced the publication of the Wisconsin *Patriot*, but ill health soon forced a withdrawal, and the establishment passed into the hands of S. D. CARPENTER, and was continued until 1863. In 1856,

he was elected a member of the assembly, and, in 1857, elected a member of the regents of the University. In 1858, he was appointed comptroller of the state treasury. In 1862, he was made paymaster U. S. A., having the year previous built Camp Randall, and aided in fitting some fifteen thousand soldiers for the field. In 1866, he was appointed mail agent, in charge of Michigan, Wisconsin, Minnesota and Dakota. After some years passed as an editor upon the large daily papers of Chicago and St. Paul, he was, in 1874, appointed secretary of the railroad commission, and, in 1878, was the national candidate for congress in the second district.

Mr. TENNEY served as a reporter in both of the Constitutional Conventions.

The general avocation of Mr. TENNEY has been that of editor and reporter. His pen has always been busy in correspondence with so many papers that a bare enumeration would be tedious. Like almost all who have followed the profession, the printing office is his first love. His writings have been almost innumerable. He was the author of several pamphlets, especially setting forth the advantages of Dane, Pierce and other counties for settlement in early times; and numerous papers and reports from his hand are scattered through the public archives, both territorial and state. He has always retained his residence in the village and town of Madison since the date of his first settlement.

REPORTERS—CONVENTION OF 1847-8.

DAVID ATWOOD.

The ATWOOD family is an old one in this country, and the name has become quite numerous in most of the states. From genealogical works, it is found that several persons of the name have left England and settled in the United States, and become heads of a line of the name in this country. The name is found in Plymouth colony as early as 1638. The subject of this sketch traces back his ancestry, on his father's side, six generations in America, to HERMAN ATWOOD, who came from Sanderstead, about fifteen miles from London, and settled in Boston in 1642; and on his mother's side, five generations in this country, to JOHN BELL, who came from Ireland and settled in Bedford, New Hampshire, in 1736.

For the benefit of the numerous families by the name of BELL in this country, the following item, clipped from an old number of the Vermont *Quarterly Gazetteer*, purporting to give the origin of the name, is inserted: "JOHN AUSTIN, of pure Norman extraction, a native of Glasgow, Scotland, invented the tulip-shaped *bell*,—for which he was knighted by Queen ELIZABETH, and took the name of BELL. He was a staunch Presbyterian, and during the religious controversy, was obliged to flee, and went to the north of Ireland. From thence a large family of brothers emigrated to the United States, and settled in various parts of the Union. JAMES, the second son, settled in New Hampshire." DAVID ATWOOD, the father of the subject of this sketch, and his mother, MARY BELL, were both born in Bedford, New Hampshire — the former March 24, 1779, and the latter April 12, 1781. They were married

September 21, 1802, and resided in their native town through their entire lives.

DAVID ATWOOD was born in Bedford, New Hampshire, December 15, 1815. He was brought up on a farm, and this means, at that day, on a New Hampshire farm,—hard work. He received a common school education, limited to a few weeks in each year, till he was sixteen years of age. In 1832, he accompanied an elder brother to Hamilton, Madison county, New York, where he at once entered upon a five years' apprenticeship to the printing business in an office devoted exclusively to the printing of law books. At the age of twenty-one, in 1836, he took an agency for the selling of the law works his former employers had published, and that he had helped to print. He devoted nearly three years to this agency, in introducing those works to the profession. During this time, he traveled extensively in the states of New York, Pennsylvania, Maryland, Virginia, Ohio, Indiana, Michigan, Illinois, Missouri, Kentucky, and the District of Columbia; in many of them, he visited every county seat. At that early day, much of the territory over which he traveled was in its native state — a wilderness; and many scenes were experienced that might appear marvelous to children of the present day of luxury and ease. One of the great pleasures of his life has been in witnessing the progress and growth of the country through which he then passed, and in contrasting its condition then with its present thrifty appearance. Then a wilderness, now dotted all over with a prosperous, wealthy and happy people. The change is certainly an immense one — difficult to realize by the present generation.

In September, 1839, Mr. ATWOOD returned to Hamilton, New York, and immediately united with a brother in the publication of the "*Hamilton Palladium*," a weekly newspaper. He devoted his entire time to this work, with limited pecuniary success, through two presidential cam-

paigns — that of Harrison and Van Buren, in 1840, and of Clay and Polk, in 1844. At the close of the latter, on account of failing health, he discontinued the publication of the paper. Being advised that out-door labor would probably improve his health, he purchased, in company with a friend, a tract of land in Stephenson county, Illinois, about seven miles east of Freeport, and on the 10th of February, 1845, with his friend, started in an emigrant wagon for his western home. After about six weeks of hard traveling, the place of destination was reached, and he at once turned his attention to farming, hoping to acquire both health and wealth. As regards health, he was not mistaken; but in his expectations in regard to accumulating wealth, he was sadly mistaken. The farm was heavily stocked with sheep, but the enterprise proved a failure. The flock became diseased, and was largely reduced by deaths. After three seasons of farming, the great object had been secured; his health was entirely restored, and the loss of property was of slight consequence; the farming experience had proved a valuable one.

In September, 1847, having disposed of his farm and other property upon it, Mr. ATWOOD proceeded to Madison, Wisconsin, to seek employment in his chosen profession — the one for which he had prepared himself — the printing business. He was successful in securing employment, and within an hour after his arrival in Madison, he was placed in editorial charge of the *Madison Express*, then published by W. W. WYMAN — and has continued in charge of the same paper with only a change of name to "*State Journal*," ever since. He purchased the *Express* office within the first year of his residence in Madison. At the present time (1880) there is every prospect that he will remain with the paper the balance of his life. He would hardly know how to do anything else, and he must do something.

Soon after Mr. ATWOOD located in Madison, the Consti-

tutional Convention of 1847–8, convened in that place, and he took his seat in it, as a reporter for the *Express*, and during every moment that body was in session, he was present with it, and furnished a report of its proceedings for the paper with which he was connected. He has continued to act as a reporter of legislative bodies ever since he commenced in 1847.

Since Mr. ATWOOD has resided in Madison, he has held by election or appointment several offices, among which may be noted: justice of the peace in 1849; village trustee in 1854; chief clerk of the assembly in 1855; member of the assembly in 1861; assessor of internal revenue from 1862 to 1866; mayor of Madison in 1868–9; and member of the forty-first congress. In 1872, he was commissioned by President GRANT, as centennial commissioner from Wisconsin. He has held many local positions in different associations, such as member of the city school board, treasurer of the State Agricultural Society, director in the State Historical Society, the Madison Mutual Insurance Company, the Madison Gas Light and Coke Company, several railroad companies; trustee of the Insane Hospital, etc.

In his early life, in New York, there was quite a military display annually in that state. In 1841, Mr. ATWOOD was commissioned as adjutant on the staff of the late Col. JAMES W. NYE, who commanded the 65th regiment of infantry; the next year he became major of the regiment, and the next, colonel. The two former commissions were issued by Gov. WM. H. SEWARD, countersigned by RUFUS KING as adjutant general, afterwards an editor and member of the Constitutional Convention in Wisconsin; and the latter by Gov. W. C. BOUCK, father of Hon. GABRIEL BOUCK, member of congress from the sixth district in this state. In Wisconsin, he was quartermaster general under Gov. FARWELL in 1852, and was appointed major general of the 5th division by Gov. RANDALL in 1858.

Politically, Mr. ATWOOD labored somewhat actively with the whig party, while it had an existence; and with the republican party since its organization. He was on the committee that reported the first republican platform in the state, in 1854; has represented his party on its national and state committees; and was a delegate to the national convention at Cincinnati in 1876.

August 23, 1849, Mr. ATWOOD was married, at Potosi, Wisconsin, to MARY SWEENEY, daughter of CONNOR and SUSAN SWEENEY, formerly of Canton, Ohio. They have had four children — two sons and two daughters. The eldest of the family — CHARLES DAVID ATWOOD was married to ELIZABETH WARD, September 8, 1874. He died at Madison, February 6, 1878, in the 28th year of his age. The other three — HARRIE F., MARY LOUISE, and ELIZABETH GORDON — reside in Madison; the latter was married to E. P. VILAS, Esq., October 9, 1877.

DAVID LAMBERT.

DAVID LAMBERT was one of the reporters of the journal and debates of the second Constitutional Convention. Of his career but little can now be learned. Like many of the craft in pioneer times, he seemed to prefer a roaming life, and had traveled extensively over a large portion of the west and south. He was in many respects a man of marked ability and high cultivation, of keen perceptions and logical acumen; and yet a good fellow of "infinite jest," overflowing with spontaneous humor. He had, previous to 1847, assisted in editing one of the Madison papers for a short time, and after some years absence, only returned in time to take a part in the work of reporting. In 1848 and 1849 he visited St. Paul, with a view to locating in that then wilderness, and a few months later, while a passenger upon a steamer, by some accident, fell overboard and was drowned. Our memory of him, as well as that of all his associates, is most respectful and

kindly. Had he lived, his abilities could not have failed to have made him renowned in the new field he had purposed to occupy.

HON. JOHN Y. SMITH,

who was a member of the first Constitutional Convention, was one of the reporters of the journal and debates of the second. The sketch of his life elsewhere, gives the general outlines of his career. He was in every sense a man of marked ability, profound thought, a deeply cultivated scholar, and fluent and able writer, having achieved a reputation in his articles upon political economy which might almost be said to be national, and made him the adviser and confidential friend of many of the ablest statesmen in the country. He has been dead for several years.

HENRY W. TENNEY, ESQ.

HENRY W. TENNEY was born on Grand Isle, Vermont, January 2, 1822. He received a thorough classical education, graduated from the university of Vermont in 1845, in which year he removed west, and became a lawyer by profession. In 1847, he assisted in reporting the journal and debates of the second Constitutional Convention, while educating himself for the bar, and, both by education and training, was specially fitted for this service. October 18, 1852, he was married to HANNAH SCHENKBERG. After some years' practice in Milwaukee, he removed to Portage City, purchasing and laying out, in connection with a partner, a large part of the site of the place. Several years later, he removed to Madison, resuming legal practice. From thence he removed to Chicago, where he resided until 1879, when he removed to Appleton, Wisconsin, and continues in the pursuit of his profession. In Chicago he was a member of the law firm of TENNEYS & FLOWER, and that firm was one of the most successful in that city. As a speaker he was clear, and never appeared in court without thorough preparation, and his papers were rarely,

if ever defective. His removal to Appleton was owing to failing health, induced by excessive professional labor. As a practitioner he was ever courteous and honorable; was popular with his associates, and in all places a true gentleman. As an acute thinker, logical writer, and profound lawyer, he has few equals and less superiors. He has ever been noted for genial humor, generous impulses, and keen and ready wit. Few men, indeed, are more widely known or more highly respected. He has always avoided public positions from choice, preferring the solid and more substantial pleasures of the life of a student, and to rank high in his profession.

CONSTITUTIONS

ADOPTED BY BOTH CONVENTIONS.

REJECTED CONSTITUTION.

The following is a full copy of the constitution for the state of Wisconsin, as adopted by the convention at Madison, December 16, 1846, and which was rejected by the people at an election held on Tuesday, the 6th day of April, 1847, by a vote: For constitution, 14,119; against constitution, 20,232.

PREAMBLE.

The constitution of the state of Wisconsin, adopted in convention, at Madison, on the sixteenth day of December, in the year of our Lord one thousand eight hundred and forty-six, and of the independence of the United States the seventy-first.

We, the people of Wisconsin, acknowledging with gratitude the grace and beneficence of God in permitting us to make choice of our form of government, having the right of admission into the Union as a member of the confederacy, consistent with the constitution of the United States, and the ordinance of congress of one thousand seven hundred and eighty-seven, believing that the time has arrived when our present political condition ought to cease, and the right of self-government to be asserted; and in order to establish justice, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do mutually agree with each other to form ourselves into a free and independent state, by the name of the "State of Wisconsin," and do ordain and establish this constitution for the government thereof.

ARTICLE I.

ON BOUNDARIES.

Section 1. It is hereby ordained and declared that the state of Wisconsin "doth consent to and accept of the boundaries" prescribed in the act of congress entitled "an act to enable the people of Wisconsin ter-

ritory to form a constitution and state government, and for the admission of such state into the Union," approved August sixth, one thousand eight hundred and forty-six: *Provided*, however, that the following alteration of the aforesaid boundary be and hereby is proposed to the congress of the United States, as the preference of the state of Wisconsin, and if the same shall be assented and agreed to by the congress of the United States, then the same shall be and forever remain obligatory on the state of Wisconsin, viz: Leaving the aforesaid boundary line at the first rapids in the river St. Louis; thence in a direct line southwardly to a point fifteen miles east of the most easterly point in Lake St. Croix; thence due south to the main channel of the Mississippi river or Lake Pepin; thence down the said main channel of Lake Pepin and the Mississippi river, as prescribed in the aforesaid boundary.

SECTION 2. This ordinance is hereby declared to be irrevocable without the consent of the United States.

ARTICLE II.

ON ACT OF CONGRESS FOR ADMISSION OF THE STATE.

SECTION 1. The propositions of the congress of the United States, as made and contained in their act of the sixth day of August, one thousand eight hundred and forty-six, entitled "an act to enable the people of Wisconsin territory to form a constitution and state government, and for the admission of such state into the Union," are hereby accepted, ratified and confirmed: *Provided*, nevertheless, that nothing in this constitution, or in the act of congress aforesaid, shall in any manner prejudice or affect the right of the state of Wisconsin to five hundred thousand acres of land granted to said state, and to be hereafter selected and located by and under the act of congress of the United States, entitled "an act to appropriate the proceeds of the sales of the public lands, and grant pre-emption rights," approved September fourth, one thousand eight hundred and forty-one.

SECTION 2. The state shall never interfere with the primary disposal of the soil within the same by the United States, nor with any regulations congress may find necessary for securing the title in such soil to *bona fide* purchasers thereof; and no tax shall be imposed on land the property of the United States; and in no case shall non-resident proprietors be taxed higher than residents.

ARTICLE III.

ON THE EXECUTIVE OF THE STATE.

SECTION 1. The executive power shall be vested in a governor, who shall hold his office for two years. A lieutenant governor shall be elected at the same time and for the same term.

SECTION 2. No person, except a citizen of the United States, and a

qualified elector of this state, shall be eligible to the office of governor, or lieutenant governor.

SECTION 3. The governor and lieutenant governor shall be elected at the times and places of choosing members of the legislature. The persons respectively having the highest number of votes for governor and lieutenant governor, shall be elected. But in case two or more shall have an equal and the highest number of votes for governor or for lieutenant governor, the two houses of the legislature, at its next annual session, shall forthwith, by joint ballot, choose one of the said persons so having an equal and the highest number of votes for governor or lieutenant governor. The returns of election for governor and lieutenant governor shall be made in such manner as shall be prescribed by law.

SECTION 4. The governor shall be commander-in-chief of the military and naval forces of the state. He shall have power to convene the legislature on extraordinary occasions. He shall communicate to the legislature, at every session, the condition of the state, and recommend such matters to them for their consideration as he may deem expedient. He shall transact all necessary business with the officers of the government, civil and military. He shall expedite all such measures as may be resolved upon by the legislature, and shall take care that the laws are faithfully executed.

SECTION 5. The governor shall receive as a compensation for his services annually, the sum of one thousand dollars.

SECTION 6. The governor shall have power to grant reprieves and pardons, after conviction, for all offenses except treason and cases of impeachment. He may commute sentence of death to imprisonment in a states prison for life. He may grant pardons upon such conditions and with such restrictions and limitations as he may think proper. Upon conviction for treason, he shall have the power to suspend the sentence until the case shall be reported to the legislature at its next session. He shall communicate to the legislature, by message, each case of reprieve, commutation and pardon by him granted, since the next previous session of the legislature, stating the name of the convict, the crime of which he was convicted, the sentence and its date, and the date and conditions of the commutation, pardon, or reprieve.

SECTION 7. In case of the impeachment of the governor, or his removal from office, death, inability from mental or physical disease, resignation or absence from the state, the powers and duties of the office shall devolve upon the lieutenant governor, for the residue of the term, or until the governor, absent or impeached, shall have returned, or the disability shall cease. But when the governor shall, with the consent of the legislature, be out of the state in time of war, at the head of the military force thereof, he shall continue commander-in-chief of all the military force of the state.

SECTION 8. The lieutenant governor shall be president of the senate, but shall have only a casting vote therein. If, during a vacancy of the office of governor, the lieutenant governor shall be impeached, displaced, resign, die, or from mental or physical disease become incapable of performing his duties, or be absent from the state, the secretary of state shall act as governor until the vacancy shall be filled, or the disability shall cease.

SECTION 9. The lieutenant governor shall receive double the per diem of members of the senate for every day's attendance as president of the senate, and the same mileage as shall be allowed to members of the legislature.

SECTION 10. The governor and lieutenant governor, or either of them, shall not, during the term for which he or they are elected, hold any other office of trust, honor, profit or emolument under this state, or the United States, or any other state of the Union, or any foreign state or government.

SECTION 11. Every bill which shall have passed the legislature shall, before it becomes a law, be presented to the governor. If he approve, he shall sign it; but if not, he shall return it, with his objections, to that house in which it shall have originated, who shall enter the objections at large on their journals, and proceed to reconsider it. If, after such reconsideration, two-thirds of the members present shall agree to pass the bill, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered, and, if approved by two-thirds of the members present, it shall become a law. But in all such cases, the votes of both houses shall be determined by yeas and nays, and the names voting for and against the bill shall be entered on the journal of each house respectively. If any bill shall not be returned by the governor within three days (Sundays excepted) after it shall have been presented to him, the same shall be a law, unless the legislature shall, by their adjournment, prevent its return; in which case it shall not be a law.

ARTICLE IV.

ADMINISTRATIVE.

SECTION 1. A secretary of state, who shall *ex-officio* be the auditor, a treasurer, and an attorney general, shall be elected at the times and places of choosing governor and lieutenant governor, and shall hold their offices for the term of two years.

SECTION 2. The secretary of state shall keep a fair record of the official acts of the legislative and executive departments of the state, and shall, when required, lay the same, and all matters relative thereto, before either branch of the legislature; and shall perform such other duties as shall be assigned him by law. He shall receive as a compensation

for his services, yearly, such sum as shall be provided by law, not exceeding one thousand dollars, and shall keep his office at the seat of government.

SECTION 3. The powers, duties and compensation of the treasurer and attorney general shall be prescribed by law. Each of said officers shall receive as a compensation for his services yearly, a sum to be prescribed by law.

SECTION 4. The legislature shall not grant or allow to any officer named in this article any extra compensation under any pretense, or in any form whatever.

ARTICLE V.

ON THE CONSTITUTION AND ORGANIZATION OF THE LEGISLATURE.

SECTION 1. The legislative power shall be vested in a senate and house of representatives.

SECTION 2. The number of the members of the house of representatives shall never be less than sixty, nor greater than one hundred and twenty. The senate shall consist of a number of members not greater than one-third nor less than one-fourth of the number of the members of the house of representatives.

SECTION 3. The legislature shall provide by law for an enumeration of the inhabitants of this state, in the year one thousand eight hundred and fifty-five, and at the end of every ten years thereafter; and shall also provide for such enumeration in the year one thousand eight hundred and forty-eight; and at their first session after each enumeration so made as aforesaid, and also after each enumeration made by the authority of the United States, the legislature shall apportion anew the representatives and senators among the several districts, according to the number of inhabitants, excluding Indians not taxed, and soldiers and officers of the United States army and navy.

SECTION 4. Until there shall be a new apportionment of the senators and members of the house of representatives, the state shall be divided into senatorial and representative districts as follows, and the senators and members of the house of representatives shall be apportioned among the several districts as follows, viz:

The county of Brown shall constitute the first representative district, and shall be entitled to one representative.

The county of Calumet shall constitute the second representative district, and shall be entitled to one representative.

The county of Manitowoc shall constitute the third representative district, and shall be entitled to one representative.

The county of Marquette shall constitute the fourth representative district, and shall be entitled to one representative.

The county of Winnebago shall constitute the fifth representative district, and shall be entitled to one representative.

The county of Sheboygan shall constitute the sixth representative district, and shall be entitled to one representative.

The county of Fond du Lac shall constitute the seventh representative district, and shall be entitled to two representatives.

The county of Columbia shall constitute the eighth representative district, and shall be entitled to one representative.

The county of Sauk shall constitute the ninth representative district, and shall be entitled to one representative.

The county of Washington shall constitute the tenth representative district, and shall be entitled to four representatives.

The county of Dodge shall constitute the eleventh representative district, and shall be entitled to four representatives.

The county of Milwaukee shall constitute the twelfth representative district, and shall be entitled to eight representatives.

The county of Waukesha shall constitute the thirteenth representative district, and shall be entitled to six representatives.

The county of Jefferson shall constitute the fourteenth representative district, and shall be entitled to five representatives.

The county of Dane shall constitute the fifteenth representative district, and shall be entitled to four representatives.

The county of Racine shall constitute the sixteenth representative district, and shall be entitled to ten representatives.

The county of Walworth shall constitute the seventeenth representative district, and shall be entitled to six representatives.

The county of Rock shall constitute the eighteenth representative district, and shall be entitled to five representatives.

The county of Green shall constitute the nineteenth representative district, and shall be entitled to one representative.

The county of Iowa shall constitute the twentieth representative district, and shall be entitled to seven representatives: *Provided*, That whenever the said county of Iowa shall be divided, and two new counties shall be organized out of the same, then the northern of said two new counties shall be entitled to three representatives, and the southern of said two new counties shall be entitled to four representatives.

The county of Grant shall constitute the twenty-first representative district, and shall be entitled to five representatives.

The counties of Crawford and Richland shall constitute the twenty-second representative district, and shall be entitled to one representative.

The counties of St. Croix and Chippewa shall constitute the twenty-third representative district, and shall be entitled to one representative.

The county of La Pointe shall constitute the twenty-fourth representative district, and shall be entitled to one representative.

The county of Portage shall constitute the twenty-fifth representative district, and shall be entitled to one representative.

The counties of Brown, Calumet, Winnebago, Fond du Lac, Manitowoc and Sheboygan shall constitute the first senatorial district, and shall be entitled to one senator.

The counties of Marquette, Columbia, Portage, Sauk, Richland, Crawford, Chippewa, St. Croix and La Pointe shall constitute the second senatorial district, and shall be entitled to one senator.

The county of Washington shall constitute the third senatorial district, and shall be entitled to one senator.

The county of Dodge shall constitute the fourth senatorial district, and shall be entitled to one senator.

The county of Milwaukee shall constitute the fifth senatorial district, and shall be entitled to two senators.

The county of Waukesha shall constitute the sixth senatorial district, and shall be entitled to two senators.

The county of Jefferson shall constitute the seventh senatorial district, and shall be entitled to one senator.

The county of Dane shall constitute the eighth senatorial district, and shall be entitled to one senator.

The county of Racine shall constitute the ninth senatorial district, and shall be entitled to two senators.

The county of Walworth shall constitute the tenth senatorial district, and shall be entitled to two senators.

The county of Rock shall constitute the eleventh senatorial district, and shall be entitled to two senators.

The county of Green shall constitute the twelfth senatorial district, and shall be entitled to one senator.

The county of Iowa shall constitute the thirteenth senatorial district, and shall be entitled to two senators: *Provided*, That whenever the said county of Iowa shall be divided, and two new counties shall be organized out of the same, then the northern of said two new counties shall be entitled to one senator, and the southern of said two new counties shall be entitled to one senator.

The county of Grant shall constitute the fourteenth senatorial district, and shall be entitled to two senators.

SECTION 5. The representatives shall be chosen annually, on the day of the general election, by the qualified electors of the several districts; the senators shall be chosen biennially, for two years, at the same time and in the same manner as the representatives are required to be chosen.

SECTION 6. Senators and representatives shall be qualified electors in the respective districts which they represent, and shall have resided at least one year in the state.

SECTION 7. No person holding office under the United States (postmasters excepted) shall be eligible to a seat in either branch of the legislature of this state.

SECTION 8. A majority of each house shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may compel the attendance of absent members in such manner and under such penalties as each house may provide. Each house shall choose its own officers.

SECTION 9. Each house shall determine the rules of its proceedings, and judge of the qualifications, elections, and returns of its own members; may punish for contempts, and its members for disorderly behavior, and may, with the concurrence of two-thirds of all the members elected, expel a member; but no member shall be expelled a second time for the same cause.

SECTION 10. No senator or representative in the legislature of this state shall, during the time for which he was elected, or during one year after the expiration thereof, be appointed or elected to any civil office under the authority of this state, which shall have been created or the emoluments whereof shall have been increased during the term for which he was elected.

SECTION 11. Senators and representatives shall, in all cases except treason, felony, and breach of the peace, be privileged from arrest, nor shall they be subject to any civil process during the session of the legislature, nor for fifteen days next before the commencement and after the termination of each session.

SECTION 12. The legislature shall meet at the seat of government on the second Thursday of January in every year, and at no other period, unless otherwise directed by law, or provided for in this constitution.

SECTION 13. The governor shall issue writs of election to fill such vacancies as may occur in the senate or house of representatives.

SECTION 14. The style of the laws of this state shall be, "It is enacted by the legislature of the state of Wisconsin as follows, viz:"

SECTION 15. Each member of the legislature shall receive for his services, two dollars for each day's attendance during the first forty days of any session, and one dollar for each day's attendance during the remainder of such session, and ten cents for every mile he shall travel in going to and returning from the place of the meeting of the legislature, to be computed by the most usually traveled route.

ARTICLE VI.

ON THE POWERS, DUTIES AND RESTRICTIONS OF THE LEGISLATURE.

SECTION 1. Each house shall keep a journal of its proceedings, and publish the same, except such parts as may require secrecy. The doors of each house shall be kept open, except when the public welfare shall require secrecy. Neither house shall, without consent of the other, adjourn for more than two days.

SECTION 2. Any bill may originate in either house of the legislature, and all bills passed by one house may be amended by the other; and on the final passage of all bills, the vote shall be by ayes and noes, and shall be entered on the journal.

SECTION 3. The legislature may confer upon the boards of supervisors of the several counties of the state, such powers of local legislation and administration as they shall from time to time prescribe.

SECTION 4. No private or local bill which may be passed by the legislature shall embrace more than one subject, and that shall be expressed in the title.

SECTION 5. The legislature shall never grant extra compensation to any public officer, agent, servant or contractor, after the service shall have been rendered or the contract entered into.

SECTION 6. Members of the legislature, and all officers, executive and judicial, except such inferior officers as may by law be exempted, shall, before they enter upon the duties of their respective offices, take and subscribe the following oath or affirmation: "I do solemnly swear (or affirm, as the case may be) that I will support the constitution of the United States, and the constitution of the state of Wisconsin, and that I will faithfully discharge the duties of the office of ———, according to the best of my ability."

SECTION 7. The legislature shall never authorize any lottery.

SECTION 8. One-fifth of the members present, of each house, shall be entitled to call for the ayes and noes on any question, and to have the same entered upon the journal.

SECTION 9. The legislature shall establish but one system of town and county government, which shall be uniform, as near as may be, throughout the state.

SECTION 10. The legislature shall direct by law in what manner and in what courts suits may be brought against the state.

ARTICLE VII.

ON THE ORGANIZATION AND FUNCTIONS OF THE JUDICIARY.

SECTION 1. The court for the trial of impeachments shall be composed of the senate. The house of representatives shall have the power of impeaching all civil officers of this state, for corrupt conduct in office, or for crimes and misdemeanors; but a majority of all the members elected shall concur in an impeachment. On the trial of an impeachment against the governor, the lieutenant governor shall not act as a member of the court. No judicial officer shall exercise his office after he shall have been impeached, until his acquittal. Before the trial of an impeachment, the members of the court shall take an oath or affirmation, truly and impartially to try the impeachment according to evidence;

and no person shall be convicted without the concurrence of two-thirds of the members present. Judgment in cases of impeachment shall not extend further than to removal from office, or removal from office and disqualification to hold any office of honor, profit, or trust, under this state; but the party impeached shall be liable to indictment, trial and punishment according to law.

SECTION 2. The judicial power of this state, both as to matters of law and equity, shall be vested in a supreme court, circuit courts, courts of probate, and in justices of the peace. The legislature may also vest such jurisdiction as shall be deemed necessary, in municipal courts, and shall have power to establish inferior courts in the several counties, with limited civil and criminal jurisdiction.

SECTION 3. The supreme court, except in cases otherwise provided in this constitution, shall have appellate jurisdiction only, which shall be co-extensive with the state; but in no case removed to the supreme court shall a trial by jury be allowed in said court. The supreme court shall have a general superintending control over all inferior courts; it shall have power to issue writs of habeas corpus, mandamus, injunction, quo warranto, certiorari, and other original and remedial writs, and to hear and determine the same.

SECTION 4. For the term of five years from the first election of the judges of circuit courts, and thereafter until the legislature shall otherwise provide, the judges of the several circuit courts shall be judges of the supreme court, a majority of whom shall constitute a quorum, and the concurrence of a majority of the judges present shall be necessary to a decision.

SECTION 5. The state shall be divided into five judicial circuits, to be composed as follows: The first circuit shall comprise the counties of Racine, Walworth, Rock and Green. The second circuit, the counties of Milwaukee, Waukesha, Jefferson and Dane. The third circuit, the counties of Washington, Dodge, Columbia, Marquette, Sauk and Portage. The fourth circuit, the counties of Brown, Manitowoc, Sheboygan, Fond du Lac, Winnebago and Calumet; and the fifth circuit shall comprise the counties of Iowa, Grant, Crawford and Richland; and the counties of Chippewa, St. Croix and La Pointe shall be attached to the county of Crawford, for judicial purposes, until otherwise provided by the legislature.

SECTION 6. The legislature may alter, increase or diminish the number of circuits, making them as compact and convenient as may be, and bounding them by county lines; but no alteration or diminution of the number of circuits shall have the effect to remove a judge from office.

SECTION 7. For each circuit there shall be a judge chosen by the qualified electors therein, who shall hold his office for the term of five years, and until his successor shall be chosen and qualified; and after he

shall have been elected, he shall reside in the circuit for which he was elected. One of said judges shall be designated as chief justice, in such manner as the legislature shall provide.

SECTION 8. The circuit courts shall have original jurisdiction in all matters, civil and criminal, within this state, not otherwise excepted in this constitution, and not hereafter prohibited by law, and appellate jurisdiction from all inferior courts and tribunals, and a supervisory control over the same. They shall also have the power to issue writs of habeas corpus, mandamus, injunction, quo warranto, certiorari, and all other writs necessary to enforce their own jurisdiction, and give them a general control over inferior courts and jurisdictions.

SECTION 9. When a vacancy shall happen in the office of a supreme or circuit judge, such vacancy shall be filled by an appointment by the governor, which shall continue until a successor is elected and qualified; and when elected, such successor shall hold his office for a full term. No election for judges, or for any single judge of the supreme or circuit court, shall be held within thirty days of any general election for state or county officers.

SECTION 10. Each of the judges of the supreme and circuit courts shall receive a salary of one thousand five hundred dollars annually; they shall receive no fees of office, or other compensation than their salaries; they shall hold no other office of public trust, and all votes for either of them for any office except that of judge of the supreme or circuit court, given by the legislature or the people, shall be void. If any judge shall resign his office, he shall not be eligible or appointed to any office within two years after such resignation. No person shall be elected to the office of judge who is not a citizen of the United States, who shall not have attained the age of twenty-five years, and who shall not have resided within this state or territory two years previous to his election.

SECTION 11. The supreme court shall hold at least one term in each judicial circuit annually, at such times and places as shall be provided by law. A circuit court shall be held in each county of this state, organized for judicial purposes, at least twice in each year. The circuit judges may hold courts for each other, and shall do so when required by law.

SECTION 12. Until the legislature shall otherwise provide, the circuit judges shall interchange circuits, and hold courts in such manner that no judge of either of said circuits shall hold court in any one circuit for more than one year in five successive years, except in case of vacancy, absence, or of inability or disability of one of said judges.

SECTION 13. There shall be a clerk of the circuit court chosen in each county organized for judicial purposes, by the qualified electors therein, who shall hold his office for two years, subject to removal, as

shall be provided by law. In case of a vacancy, the judge of the circuit court shall have the power to appoint a clerk, until the vacancy shall be filled by an election. The clerk of the circuit court shall perform all the duties of the office of register of deeds. On the first Monday in January and July in each year, he shall make a statement under oath of all the fees of his office during the half year next preceding, and deposit such statement in the office of the county treasurer; when the fees mentioned in such statement shall exceed the sum of seven hundred and fifty dollars, he shall pay seventy-five per centum of such excess into the county treasury. He may in all cases demand his fees in advance, and shall give such security as the legislature may require. The supreme court shall appoint its own clerks, and the clerk of a circuit court may be appointed a clerk of the supreme court.

SECTION 14. Any judge of the supreme or circuit court may be removed from office by address of both houses of the legislature, if two-thirds of all the members elected to each house concur therein; but no removal shall be made by virtue of this section, unless the party complained of shall have been served with a copy of the complaint against him, and shall have had an opportunity of being heard in his defense. On the question of removal, the ayes and noes shall be entered on the journals.

SECTION 15. There shall be chosen in each county, by the qualified electors thereof, a judge of probate, who shall hold his office for two years, and until his successor is elected and qualified.

SECTION 16. The electors of the several towns, at their annual town meeting, and the electors of cities and villages, at their charter elections, shall, in such manner as the legislature may direct, elect justices of the peace, whose term of office shall be for two years, and until their successors in office shall be elected and qualified. They shall have civil and criminal jurisdiction co-extensive with the county in which they are elected, in such cases as shall be prescribed by law.

SECTION 17. Tribunals of conciliation may be established, with such powers and duties as may be prescribed by law; but such tribunals shall have no power to render judgment to be obligatory on the parties, unless they agree to abide the judgment, or assent thereto in the presence of such tribunal.

SECTION 18. The legislature shall have power to vest in clerks of courts, or in other competent persons, authority to grant such orders and do such acts as may be deemed necessary for the furtherance of the administration of justice; but in all cases the powers thus granted shall be specified and determined.

SECTION 19. The style of all writs and process shall be, "The State of Wisconsin." All criminal prosecutions shall be carried on in the name and by the authority of the same; and all indictments shall conclude against the peace and dignity of the state.

SECTION 20. The legislature shall impose a tax on all civil suits commenced or prosecuted in the supreme or circuit courts, which shall be paid into the treasury of the state, and shall constitute a fund to be applied toward the payment of the salary of judges.

SECTION 21. The testimony in equity cases shall be taken in like manner as in cases at law; and the office of master in chancery shall be abolished.

SECTION 22. Any suitor in any court of this state, shall have the right to prosecute or defend his suit either in his own proper person or by an attorney or agent of his choice.

SECTION 23. A district attorney shall be elected in each county organized for judicial purposes, by the qualified electors therein, whose duties, compensation and term of service shall be prescribed by law.

SECTION 24. The legislature shall provide for the speedy publication of all statute laws, and of such judicial decisions made within this state as it may deem expedient. All laws and judicial decisions shall be free for publication by any person, and no general law shall be in force until published.

SECTION 25. The legislature, at its first session after the admission of this state into the Union, shall provide for the appointment of three commissioners, whose duty it shall be to revise, simplify and arrange the statute laws of this state with proposed amendments; to inquire into and ascertain the rules of practice, pleadings, forms and proceedings most suitable to be adopted in the courts of record in this state, and to report thereon to the legislature, subject to their modification and adoption.

ARTICLE VIII.

ON SUFFRAGE AND THE ELECTIVE FRANCHISE.

SECTION 1. All male persons of the age of twenty-one years or upwards, belonging to any of the four following classes, who shall have resided in this state for one year next preceding any election, authorized by this constitution, or any law, shall constitute a qualified elector at such election:

1st. All white citizens of the United States.

2d. All white persons, not citizens of the United States, who shall have declared their intention to become such, in conformity with the laws of congress for the naturalization of aliens, and shall have taken before any officer of this state authorized to administer oaths, and filed in the office of the clerk of any court of record in this state, or in counties where there may be no court of record, in the office of the clerk of the county, an oath to support the constitution of the United States and of this state.

3d. All Indians declared to be citizens of the United States by any law of congress.

4th. All civilized persons of Indian blood not members of any tribe of Indians.

SECTION 2. Whenever congress shall dispense with a declaration of intention as a requisite to naturalization, the declaration of intention required of the second class of electors shall be made and filed in the office of the clerk of any court of record in this state.

SECTION 3. No elector shall be entitled to vote except in the district, county or township in which he shall have actually resided for ten days next preceding such election: *Provided*, that any such elector shall be permitted to vote anywhere in the state for state officers.

SECTION 4. No person under guardianship shall be permitted to vote at any election.

SECTION 5. All votes shall be given by ballot, except for such township officers as may by law be directed or allowed to be otherwise chosen; and in all elections to be made by the legislature, the members thereof shall vote *viva voce;* and their votes shall be entered on the journal.

SECTION 6. Electors shall in all cases except treason, felony, or breach of the peace, be privileged from arrest during their attendance at elections, and in going to and returning from the same.

SECTION 7. No elector shall be obliged to do military duty on the days of election, except in time of war, actual invasion, insurrection or public danger; nor shall any elector on the days of election be obliged to attend any court, either as a suitor, witness or juror.

SECTION 8. No person shall be deemed to have lost his residence in this state by reason of his absence on business of the United States or of this state.

SECTION 9. No soldier, seaman, or marine, in the army or navy of the United States, shall be deemed a resident of this state in consequence of being stationed in any military or naval place within the same.

SECTION 10. It shall not be lawful for any voter, directly or indirectly, to make any bet or wager on any election at which he shall vote, and it shall be the duty of the legislature to prescribe as a part of the oath to be taken by any voter, that he has not directly or indirectly made any bet or wager on the election at which he offers his vote.

ARTICLE IX.

ON EDUCATION, SCHOOLS AND SCHOOL FUNDS.

SECTION 1. The supervision of public instruction shall be vested in a state superintendent, and such other officers as the legislature may direct. The state superintendent shall be elected or appointed in such manner and for such term of office as the legislature shall direct. The legislature shall provide for filling vacancies in the office of state superintendent, and prescribe his powers and duties.

SECTION 2. There shall be a state fund for the support of common schools throughout the state, the capital of which shall be preserved inviolate. All moneys that may be granted by the United States to this state, and the clear proceeds of all property, real or personal, that has been or may be granted as aforesaid, for educational purposes (except the lands heretofore granted for the purposes of a university), or for the use of the state, where the purposes of the grant are not specified; and all moneys, and the clear proceeds of all property that may accrue to the state by forfeiture or escheat, shall be appropriated to and made a part of the capital of said fund. The interest on said fund, together with the rents on all such property, until sold, shall be inviolably appropriated to the support of said schools annually. Provision shall be made by law for an equal and equitable distribution of the income of the state school fund amongst the several towns, cities and districts, for the support of schools therein respectively, in some just ratio to the number of children who shall reside in the same, between the ages of five and sixteen years inclusive.

SECTION 3. Provision shall be made by law requiring the several towns and cities to raise a tax on the taxable property therein, annually, for the support of common schools in said towns and cities respectively.

SECTION 4. The legislature shall provide for a system of common schools, which shall be as nearly uniform as may be throughout the state, and the common schools shall be equally free to all children, and no sectarian instruction be used or permitted in any common school in this state.

SECTION 5. The legislature shall provide for the establishment of libraries, one at least in each town and city; and the money which shall be paid as an equivalent for exemption from military duty, and the clear proceeds of all fines assessed in the several counties for any breach of the penal law shall be exclusively applied to the support of such libraries.

ARTICLE X.

ON BANKS AND BANKING.

SECTION 1. There shall be no bank of issue within this state.

SECTION 2. The legislature shall not have power to authorize or incorporate, by any general or special law, any bank or other institution having any banking power or privilege, or to confer upon any corporation, institution, person or persons any banking power or privilege.

SECTION 3. It shall not be lawful for any corporation, institution, person or persons, within this state, under any pretense or authority, to make or issue any paper money, note, bill, certificate, or other evidence of debt whatever, intended to circulate as money.

SECTION 4. It shall not be lawful for any corporation within this state, under any pretense or authority, to exercise the business of receiv-

ing deposits of money, making discounts or buying or selling bills of exchange, or to do any other banking business whatever.

SECTION 5. No branch or agency of any bank or banking institution of the United States, or of any state or territory within or without the United States, shall be established or maintained within this state.

SECTION 6. It shall not be lawful to circulate within this state after the year one thousand eight hundred and forty-seven, any paper money, note, bill, certificate, or other evidence of debt whatever, intended to circulate as money, issued without this state, of any denomination less than ten dollars, or after the year one thousand eight hundred and forty-nine, of any denomination less than twenty dollars.

SECTION 7. The legislature shall at its first session after the adoption of this constitution, and from time to time thereafter, as may be necessary, enact adequate penalties for the punishment of all violations and evasions of the provisions of this article.

ARTICLE XI.

ON INTERNAL IMPROVEMENTS.

SECTION 1. This state shall encourage internal improvements by individuals, associations and corporations, but shall not carry on, or be a party in carrying on, any work of internal improvement, except in cases authorized by the second section of this article.

SECTION 2. When grants of land or other property shall have been made to the state, especially dedicated by the grant to particular works of internal improvement, the state may carry on such particular works, and shall devote thereto the avails of such grants so dedicated thereto; but shall in no case pledge the faith or credit of the state, or incur any debt or liability for such work of internal improvement.

SECTION 3. All lands which shall come to the state by forfeiture or escheat, or by grant, where the grant does not specially dedicate the same to any other object, shall be held by the state as a part of the state school fund, under the same trusts, reservations and restrictions as are provided in this constitution in regard to school lands proper.

ARTICLE XII.

ON TAXATION, FINANCE, AND PUBLIC DEBT.

SECTION 1. All taxes to be levied in this state, at any time, shall be as nearly equal as may be.

SECTION 2. No money shall ever be paid out of the treasury of this state, except in pursuance of an appropriation by law.

SECTION 3. The credit of the state shall never be given or loaned in aid of any individual, association or corporation.

SECTION 4. There shall be published by the treasurer, in at least one newspaper printed at the seat of government, during the first week in January in each year, and in the next volume of the acts of the legislature, a detailed statement of all moneys drawn from the treasury during the preceding year, for what purposes and to whom paid, and by what law authorized.

SECTION 5. There shall never be issued by, or in any way on behalf of the state, any scrip, or other evidence of state debt, except in the cases and manner authorized in the eighth, ninth and tenth sections of this article.

SECTION 6. This state shall never contract any public debt, unless in time of war, to repel invasion, or suppress insurrection, except in the cases and manner provided in the eighth, ninth and tenth sections of this article.

SECTION 7. The legislature shall provide for an annual tax sufficient to defray the estimated expenses for each year; and whenever it shall happen that the expenses of the state for any year shall exceed the income of the state for such year, the legislature shall provide for levying a tax for the ensuing year, sufficient with other sources of income, to pay the deficiency of the preceding year, together with the estimated expenses of such ensuing year.

SECTION 8. For the purpose of defraying extraordinary expenditures, the state may contract public debts; but such debts shall never, singly, or in the aggregate, exceed one hundred thousand dollars. Every such debt shall be authorized by law, for some single work or object to be distinctly specified therein; and no such law shall take effect until it shall have been passed by the vote of two-thirds of the members of each house, to be recorded by yeas and nays on the journals of each house respectively; and every such law shall levy an annual tax sufficient to pay the annual interest of such debt, and also a tax sufficient to pay the principal of such debt within five years from the final passage of such law, and shall specially appropriate the proceeds of such taxes to the payment of such principal and interest; and such appropriation shall not be repealed, and such taxes shall not be repealed, postponed or diminished until the principal and interest of such debt shall have been wholly paid.

SECTION 9. All debts authorized by the preceding section shall be contracted by loan on state bonds, of amounts not less than five hundred dollars each, on interest, payable within five years after the final passage of the law authorizing such debt, and such bonds shall not be sold for less than par. A correct registry of all such bonds shall be kept by the treasurer in numerical order, so as always to exhibit the number and amount issued, the number and amount unpaid, and to whom severally made payable.

SECTION 10. On the final passage, in either house of the legislature, of any law which imposes, continues or renews a tax, or creates a debt or charge, or makes, continues or renews an appropriation of public or trust money, or releases, discharges or commutes a claim or demand of the state, the question shall be taken by yeas and nays, which shall be duly entered on the journals; and three-fifths of all the members elected to each house shall in all such cases be required to constitute a quorum therein.

SECTION 11. The money arising from any loan made, or debt or liability contracted, shall be applied to the work or object specified in the act authorizing such debt or liability, or to the repayment of such debt or liability, and to no other purpose whatever.

ARTICLE XIII.

ON THE MILITIA.

SECTION 1. The militia of this state shall consist of all free, able-bodied male persons (negroes and mulattoes excepted), resident in the said state, between the ages of eighteen and forty-five years; except such persons as now are, or hereafter may be, exempted by the laws of the United States, or of this state; and they shall be armed, equipped, organized and disciplined in such manner and at such times as may be directed by law. Those who conscientiously scruple to bear arms shall not be compelled to do so, but shall pay an equivalent for personal service.

SECTION 2. The militia of this state shall be divided into convenient divisions, brigades, regiments, battalions and companies, with officers of corresponding titles and rank to command them, conforming as nearly as practicable to the general regulations of the army of the United States.

SECTION 3. Captains and subalterns in the militia, field officers of regiments, brigade inspectors, brigadier generals and major generals, shall be elected or appointed in such manner as shall hereafter be provided by law.

SECTION 4. The governor shall appoint the adjutant general and other members of his staff. Major generals, brigadier generals and commanders of regiments and separate battalions, shall respectively appoint their own staff. All staff officers may continue in office during good behavior, and shall be subject to be removed by the superior officer from whom they respectively receive their appointment.

SECTION 5. All military officers shall be commissioned by the governor.

SECTION 6. The militia, as divided into divisions, brigades, regiments, battalions and companies, pursuant to the laws now in force, shall remain so organized until the same shall be altered or regulated by the legislature.

ARTICLE XIV.

ON THE RIGHTS OF MARRIED WOMEN, AND ON EXEMPTIONS FROM FORCED SALE.

SECTION 1. All property, real and personal, of the wife, owned by her at the time of her marriage, and also that acquired by her after marriage, by gift, devise, descent or otherwise than from her husband, shall be her separate property. Laws shall be passed providing for the registry of the wife's property, and more clearly defining the rights of the wife thereto, as well as to property held by her with her husband, and for carrying out the provisions of this section. Where the wife has a separate property from that of the husband, the same shall be liable for the debts of the wife contracted before marriage.

SECTION 2. Forty acres of land, to be selected by the owner thereof, or the homestead of a family not exceeding forty acres, which said land or homestead shall not be included within any city or village, and shall not exceed in value one thousand dollars, or instead thereof (at the option of the owner) any lot or lots in any city or village, being the homestead of a family and not exceeding in value one thousand dollars, owned and occupied by any resident of this state, shall not be subject to forced sale on execution, for any debt or debts growing out of or founded upon contract, either express or implied, made after the adoption of this constitution: *Provided*, That such exemption shall not affect in any manner any mechanic's or laborer's lien or any mortgage thereon, lawfully obtained, nor shall the owner, if a married man, be at liberty to alienate such real estate unless by consent of the wife.

ARTICLE XV.

ON EMINENT DOMAIN AND PROPERTY OF THE STATE.

SECTION 1. The state shall have concurrent jurisdiction on the river Mississippi, and on every other river and lake bordering on the said state, so far as the said river or lake shall form a common boundary to the said state, and any other state or states, territory or territories, now or hereafter to be formed and bounded by the same. And the said river Mississippi, and the navigable waters leading into the Mississippi and St. Lawrence, and the carrying places between the same, shall be common highways, and forever free as well to the inhabitants of this state, as to the citizens of the United States, without any tax, impost, or duty therefor. No law shall be passed to take away or abridge the rights of owners to the riparian soil or land under water, unless in the same law provision is made for full compensation to such riparian owners.

SECTION 2. All lands and other property which have accrued to the

territory of Wisconsin, by grant, gift, purchase, forfeiture, escheat or otherwise, shall vest in the state of Wisconsin.

SECTION 3. The people of this state, in their right of sovereignty, are declared to possess the ultimate property in and to all lands within the jurisdiction of this state; and all lands, the title to which shall fail from a defect of heirs, shall revert or escheat to the people.

ARTICLE XVI.

BILL OF RIGHTS.

SECTION 1. All men are born equally free and independent; all power is inherent in, and all government of right originates with, the people, is founded in their authority, and instituted for their peace, safety and happiness.

SECTION 2. There shall be neither slavery nor involuntary servitude in this state, otherwise than for the punishment of crime, whereof the party shall have been duly convicted.

SECTION 3. Every person may freely speak, write and publish his sentiments on all subjects, being responsible for the abuse of that right, and no laws shall be passed to restrain or abridge the liberty of speech or of the press. In all prosecutions or indictments for libel, the truth may be given in evidence to the jury; and if it shall appear to the jury that the matter charged as libelous be true, and was published with good motives and for justifiable ends, the party shall be acquitted; and the jury shall have the right to determine the law and the fact.

SECTION 4. The people shall at all times have the right, in a peaceable manner, to assemble together to consult for the common good.

SECTION 5. No words spoken in debate in either house of the legislature shall be the foundation of any action, complaint or prosecution whatever.

SECTION 6. The trial by jury in all suits at law shall be preserved, but a jury trial may be waived by the parties in all civil cases, in the manner prescribed by law.

SECTION 7. No law shall be passed granting any divorce, otherwise than by due judicial proceedings.

SECTION 8. Excessive bail shall not be required; excessive fines shall not be imposed; and cruel and unjust punishment shall not be inflicted.

SECTION 9. In all criminal prosecutions, the accused shall have the right to a speedy and public trial by an impartial jury of the vicinage; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.

SECTION 10. No person shall be held to answer for a capital or otherwise infamous crime unless on presentment or indictment of a grand

jury, and no person for the same offense shall be twice put in jeopardy of punishment; nor shall be compelled, in any criminal case, to be a witness against himself; all persons shall, before conviction, be bailable by sufficient sureties, except for capital offenses, when the proof is evident or the presumption great; and the privilege of the writ of habeas corpus shall not be suspended unless when, in cases of rebellion or invasion, the public safety may require it.

SECTION 11. Treason against the state shall consist only in levying war against the same, or in adhering to its enemies, giving them aid and comfort. No person shall be convicted of treason, unless on the testimony of two witnesses to the same overt act, or on confession in open court.

SECTION 12. The right of the people to be secure in their persons, houses, papers and effects, against unreasonable searches and seizures, shall not be violated, and no warrants to search any place or seize any person or thing shall issue without describing them as near as may be; nor without probable cause, supported by oath or affirmation.

SECTION 13. No bill of attainder, ex post facto law, nor any law impairing the validity of contracts, shall ever be passed, and no conviction shall work corruption of blood or forfeiture of estate.

SECTION 14. The property of no person shall be taken for public use without just compensation therefor.

SECTION 15. Foreigners who are or may hereafter become residents of this state, shall enjoy the same rights in respect to the possession, enjoyment and descent of property as native born citizens.

SECTION 16. No person shall be imprisoned for debt in this state.

SECTION 17. No religious tests shall ever be required as a qualification for any office of trust, and no person shall be deprived of any of his rights, privileges or capacities, or disqualified from the performance of any of his public or private duties, or rendered incompetent to give evidence in any court of law or equity, in consequence of his opinions on the subject of religion. The free exercise and enjoyment of religious profession and worship, without discrimination or preference, shall forever be allowed to allowed in this state to all mankind.

SECTION 18. The military shall be kept under strict subordination to the civil power.

SECTION 19. The legislature shall make no law respecting the establishment of religion, nor shall any person be compelled to attend any place of worship, pay tithes, taxes or other rates, for building or repairing places of worship, or for the maintenance of any minister or ministry.

SECTION 20. Writs of error shall never be prohibited by law.

SECTION 21. No money shall be drawn from the treasury for the benefit of religious societies, or theological or religious seminaries.

ARTICLE XVII.

MISCELLANEOUS PROVISIONS.

SECTION 1. All leases or grants of agricultural land for a longer period than twenty years, hereafter made, in which rent or service of any kind shall be reserved, shall be void.

SECTION 2. The political year for the state of Wisconsin shall commence on the first day in January in each year.

SECTION 3. Any inhabitant of this state who may hereafter be engaged, either directly or indirectly, in a duel, either as principal or accessory, shall forever be disqualified from holding any office under the constitution and laws of this state, and may be punished in such other manner as shall be prescribed by law.

SECTION 4. No member of congress, nor any person holding any office of profit or trust under the United States (postmasters excepted), nor under any other state of the Union, or under any foreign power; no person convicted of any infamous crime in any court within the United States, and no person being a defaulter to the United States, or to this state, or to any town or county therein, or to any state or territory within the United States, shall be eligible to any office of trust, profit or honor in this state.

SECTION 5. No person being elected or appointed to the office of governor, lieutenant governor, senator, or representative in the legislature, or judge of the supreme or circuit courts, shall be eligible during his term of office to any other office of trust, profit or honor in this state.

SECTION 6. Every person elected or appointed to the office of governor, lieutenant governor, secretary of state, treasurer, attorney general, senator, or representative in the legislature, or judge of the supreme or circuit courts, shall be required to declare in his oath of office, before he shall assume his office, that he will not, during the term for which he is elected or appointed to such office, accept the office of senator or representative in congress.

ARTICLE XVIII.

ON AMENDMENTS AND REVISION.

SECTION 1. Any amendment or amendments to this constitution may be proposed in either house of the legislature, and if the same shall be agreed to by two-thirds of the members elected to each of the two houses, such proposed amendment or amendments shall be entered on their journal, with the yeas and nays taken thereon, and shall be published for three months previous to the next annual election, in such manner as the legislature shall prescribe; and if the people shall approve and ratify such amendment or amendments by a majority of the quali-

fied electors voting thereon, such amendment or amendments shall become a part of the constitution: *Provided*, that if more than one amendment be submitted, they shall be submitted in such manner that the people may vote for or against such amendment separately and distinctly.

SECTION 2. Every tenth year after this constitution shall have taken effect, it shall be the duty of the legislature to submit to the people at the next annual election, the question whether they are in favor of calling a convention to revise the constitution or not; and if a majority of the qualified electors voting thereon shall have voted in favor of a convention, the legislature shall, at its next session, provide by law for holding a convention, to be holden within six months thereafter; and such convention shall consist of a number of members not less than that of the house of representatives, nor more than that of both houses of the legislature.

ARTICLE XIX.

SCHEDULE.

SECTION 1. That no inconvenience may arise from a change of territorial to a permanent state government, it is declared that all rights, actions, prosecutions, judgments, claims and contracts, as well of individuals as of bodies corporate, shall continue as if no such change had taken place, and all processes which may be issued under the authority of the territory of Wisconsin, previous to its admission into the Union of the United States, shall be valid, as if issued in the name of the state.

SECTION 2. All laws now in force in the territory of Wisconsin, which are not repugnant to this constitution, shall remain in force until they expire by their own limitations, or be altered or repealed by the legislature.

SECTION 3. All fines, penalties or forfeitures accruing to the territory of Wisconsin shall enure to the use of the state.

SECTION 4. All recognizances heretofore taken, or which may be taken before the change of territorial to a permanent state government, shall remain valid, and shall pass over to, and may be prosecuted in, the name of the state; and all bonds executed to the governor of the territory, or any other officer or court, in his or their official capacity, shall pass over to the governor or state authority, and their successors in office, for the uses therein respectively expressed, and may be sued for and recovered accordingly; and all the estate or property, real, personal or mixed, and all judgments, bonds, specialties, choses in action, and claims or debts of whatsoever description, of the territory of Wisconsin, shall enure to and vest in the state of Wisconsin, and may be sued for and recovered in the same manner, and to the same extent by the state of Wisconsin, as the same could have been done by the territory of Wis-

consin. All criminal prosecutions and penal actions, which may have arisen, or which may arise before the change from a territorial to a state government, and which shall then be pending, shall be prosecuted to judgment and execution in the name of the state. All actions at law and suits in equity which may be pending in any of the courts of the territory of Wisconsin at the time of the change from a territorial to a state government, shall be continued and transferred to any court of the state which shall have jurisdiction of the subject matter thereof.

SECTION 5. All officers, civil and military, now holding their offices under the authority of the United States, or of the territory of Wisconsin, shall continue to hold and exercise their respective offices until they shall be superseded under the authority of the state.

SECTION 6. The first session of the legislature of the state of Wisconsin shall commence on the first Monday of November next, and shall be held at the village of Madison, which shall be and remain the seat of government until otherwise provided for by law.

SECTION 7. All county and township officers shall continue to hold their respective officers, unless removed by the competent authority, until the legislature shall, in conformity to the provisions of this constitution, provide for the holding of elections to fill such offices respectively.

SECTION 8. The president of this convention shall, immediately after its adjournment, cause a fair copy of this constitution, together with a copy of the act of the legislature of this territory, entitled "An act in relation to the formation of a state government in Wisconsin," approved January 31, 1846, providing for the calling of this convention, and also a copy of so much of the last census of this territory as exhibits the number of its inhabitants, to be forwarded to the president of the United States, with the request of this convention in behalf of the people of Wisconsin, that all said matters may be by him laid before the congress of the United States at its present session.

SECTION 9. This constitution shall be submitted, at an election to be held on the first Tuesday in April next, for ratification or rejection, to all persons who shall then have the qualifications of electors for delegates to this convention; and all persons having such qualifications at the time last aforesaid, shall be entitled to vote for or against the adoption of this constitution, and for all officers to be elected under it. And if the constitution be ratified by the said electors, it shall become the constitution of the state of Wisconsin. On such of the ballots as are for the constitution shall be written or printed the word "yes," and on those which are against the ratification of the constitution, the word "no." The election shall be conducted in the manner now prescribed by law, and the returns made by the clerks of the boards of supervisors or county commissioners (as the case may be), to the governor of the territory, at any time before the tenth day of May next. And in the event of the ratification of this constitution by a majority of all the votes

given, it shall be the duty of the governor of this territory to make proclamation of the same, and to communicate a digest of the returns to the senate and house of representatives of the state, on the first day of their session. The governor shall also issue writs to the proper authorities in the several counties, requiring them to cause an election to be held on the first Monday in September next, for governor, lieutenant governor, secretary of state, treasurer, attorney general, members of the state legislature, and for all officers who are elective under this constitution except judges.

SECTION 10. Two members of congress shall also be elected on the first Monday in September next; and until the first enumeration and apportionment shall be made as directed by this constitution, the counties of Brown, Manitowoc, Calumet, Fond du Lac, Sheboygan, Washington, Milwaukee, Waukesha, Racine and Walworth, shall constitute the first congressional district, and elect one member; and the counties of Marquette, Winnebago, Columbia, Portage, Sauk, Dodge, Jefferson, Dane, Rock, Green, Iowa, Grant, Richland, Crawford, Chippewa, St. Croix and La Pointe, shall constitute the second congressional district, and shall elect one member.

SECTION 11. The first election of judges of the supreme and circuit courts shall be held on the second Monday of June next, and the governor of the territory shall, by the fifteenth day of May next, issue writs to the proper authorities in the several counties and districts, requiring such election to be held on the day aforesaid, in their respective counties and districts.

SECTION 12. The several elections provided for in this article shall be conducted according to the existing laws of the territory, and the returns (except for township and county officers) shall be certified and transmitted to the speaker of the house of representatives, at the seat of government, in such time that they may be received on the first Monday of November next; and as soon as the legislature shall be organized, the speaker of the house of representatives and the president of the senate shall, in the presence of both houses, examine the returns, and declare who are duly elected to fill the several offices hereinbefore mentioned.

SECTION 13. All persons, to be eligible to any office in this state, shall have the qualifications of electors, as specified in the article on suffrage and the elective franchise.

SECTION 14. Such parts of the common laws as have heretofore been in use in the territory of Wisconsin, not inconsistent with this constitution, and the statute laws which may be in force, shall be and continue part of the law of this state until altered or suspended by the legislature.

SECTION 15. The governor, lieutenant governor, and other state officers first elected under this constitution, shall enter upon the duties of their respective offices on the first Monday of November next, and shall continue in office for two years from the first day of January fol-

lowing; and the judges elected under this constitution shall enter upon the duties of their offices on the first day of January after such election, and their terms of office shall be for five years after said first day of January. And the governor and other territorial officers whose places are supplied by the election under this constitution, shall continue in office until their successors are qualified and enter upon the duties of their office as before stated.

SECTION 16. The oaths of office may be administered by any judge or justice of the peace, until the legislature shall otherwise direct.

RESOLUTIONS.

Resolved, That the legislature shall, at its first session, pass an act forever refusing the assent of this state to the provisions of an act of congress, entitled "An act to grant a quantity of land to the territory of Wisconsin for the purpose of aiding in opening a canal to connect the waters of Lake Michigan with those of Rock river," approved the eighteenth day of June, eighteen hundred and thirty-eight, and refusing the grant therein made, and refusing to assume the trusts thereby created.

Resolved, That the congress of the United States be and is hereby requested, upon the admission of this state into the Union, so to alter the provisions of the said act of congress, approved June eighteenth, eighteen hundred and thirty-eight, and so to alter the terms and conditions of the grant made therein, that the odd numbered sections thereby granted, and the proceeds of so much thereof as shall have been sold by the territory of Wisconsin, may be held and disposed of by the state as part of the five hundred thousand acres of land to which the state is entitled by the provisions of an act of congress, entitled "An act to appropriate the proceeds of the sales of the public lands, and to grant pre-emption rights," approved the fourth day of September, eighteen hundred and forty-one; that the even numbered sections reserved by congress may be offered for sale by the United States, for the same minimum price, and subject to the same rights of pre-emption as other public lands of the United States.

Resolved, That in case the said odd numbered sections shall be ceded to the state as aforesaid, the same shall be sold by the state in the same manner, at the same minimum price, and subject to the same right of pre-emption to occupants, as the public lands of the United States are now sold, and the excess in price over and above one dollar and twenty-five cents per acre, absolutely or conditionally contracted to be paid by the purchasers of any part of said sections which shall have been sold by the territory of Wisconsin, shall be remitted to such purchasers, their representatives or assigns.

Resolved, That congress be requested, upon the admission of this state

into the Union, to pass an act whereby the grant of five hundred thousand acres of land, to which this state is entitled by the provisions of an act of congress, entitled "An act to appropriate the proceeds of the sales of the public lands, and to grant pre-emption rights," approved the fourth day of September, eighteen hundred and forty-one, and also the five per centum of the net proceeds of the public lands lying within this state, to which this state shall become entitled on her admission into the Union, by the provisions of an act of congress, entitled "An act to enable the people of Wisconsin territory to form a constitution and state government, and for the admission of such state into the Union," approved the sixth day of August, eighteen hundred and forty-six, shall be granted to this state for the use of schools, instead of the purposes mentioned in that behalf in the said acts of congress respectively.

Resolved, That the foregoing resolutions be appended to and signed with the constitution of this state, and submitted therewith to the people of this territory, and to the congress of the United States.

D. A. J. UPHAM, *President of the Convention.*

LA FAYETTE KELLOGG, *Secretary.*

J. Y. SMITH,
ANDREW E. ELMORE,
ASA KINNEY,
E. G. RYAN,
A. HYATT SMITH,
FREDERICK S. LOVELL,
C. H. PARSONS,
STEPHEN O. BENNETT,
DANIEL HARKINS,
C. M. BAKER,
GARRITT M. FITZGERALD,
JAMES B. CARTER,
NATHANIEL DICKINSON,
JOHN M. BABCOCK,
FRANCIS HUEBSCHMANN,
HORACE CHASE,
W. W. GRAHAM,
JOHN COOPER,
WILLIAM R. HESK,
PITTS ELLIS,
JOSEPH KINNEY,
BENJAMIN FULLER,
THOMAS JAMES,
HENRY C. GOODRICH,
HIRAM BARBER,
LA FAYETTE HILL,
BENJAMIN GRANGER,
JOSIAH TOPPING,
N. E. WHITESIDES,
JOSEPH BOWKER,
JOHN W. BOYD,
STODDARD JUDD,
GEORGE B. HALL,
LYMAN H. SEAVER,
NATHANIEL F. HYER,
JAMES CHAMBERLAIN,
FRANKLIN Z. HICKS,
DAVID L. MILLS,
JAMES MAGONE,
JOHN H. MANAHAN,
J. R. VINEYARD,
P. A. R. BRACE,
DAVID NOGGLE,
HIRAM BROWN,
JAMES M. MOORE,
JOEL F. WILSON,
HOPEWELL COX,
PATRICK TOLAND,
JOHN CRAWFORD,
GARRETT VLIET,

WM. M. DENNIS,
NOAH PHELPS,
DAVIS BOWEN,
ISRAEL INMAN, Jr.,
CHARLES E. BROWNE,
EDWARD H. JANSSEN,
PATRICK ROGAN,
GEORGE HYER,
ELIHU L. ATWOOD,
AARON RANKIN,
SAMUEL T. CLOTHIER,
SALMOUS WAKELEY,
JAMES P. HAYES,
LORENZO BEVANS,
GEORGE B. SMITH,
HORACE D. PATCH,
EVANDER M. SOPER,
WM. BELL.
SANFORD P. HAMMOND,
SEWELL SMITH,
WILLIAM HOLLENBECK,
BOSTWICK O'CONNOR,
EDWARD COUMBE,
JOSEPH S. PIERCE,
S. W. BEALL,
WM. R. SMITH,
MOSES MEEKER,
WM. H. CLARK,
LEMUEL GOODELL,
WARREN CHASE,
JEREMIAH DRAKE,
ANDREW BURNSIDE,
JAMES DUANE DOTY,
WM. C. GREEN,
JOSHUA L. WHITE.

RESOLUTION.

The following resolution was adopted by the convention of 1846, and submitted to a vote of the people on the 6th day of April, 1847—the same time the first constitution was submitted—and was rejected by a vote: For the resolution, 7,564; against the resolution, 14,615.

ON COLORED SUFFRAGE.

Resolved, That at the same time when the votes of the electors shall be taken for the adoption or rejection of this constitution, an additional section in the following words, viz: "All male citizens of African blood, possessing the qualifications required by the first section of the article on 'Suffrage and the elective franchise,' shall have the right to vote for all officers, and be eligible to all offices that now are or hereafter may be elective by the people after the adoption of this constitution," shall be submitted to the electors of this state for adoption or rejection in the form following, to wit: A separate ballot may be given by every person having the right to vote for the adoption of this constitution, to be deposited in a separate box. Upon the ballots given for the adoption of said separate amendment, shall be written or printed, or partly written and partly printed, the words, "Equal suffrage to colored persons, Yes," and upon the ballots given against the adoption of said separate amendment, in like manner, the words, "Equal suffrage to colored persons, No," and on such ballots shall be written or printed, or partly written and partly printed, the words, "Constitution suffrage," in such manner that such words shall appear on the outside of such ballot when folded. If, at the said election, a majority of all the votes given for and against the said separate amendment shall contain the words, "Equal suffrage to colored persons, Yes," then the said separate amendment, after the adoption of this constitution, shall be a separate section of article ——— of this constitution, in full force and effect, anything contained in the constitution to the contrary notwithstanding.

D. A. J. UPHAM, *President.*

LA FAYETTE KELLOGG, *Secretary.*

RATIFIED CONSTITUTION.

The following is a full copy of the constitution for the state of Wisconsin, as adopted by the convention at Madison, February 1, 1848, and which was ratified by the people at an election held on the second Monday in March of that year by a vote: For constitution, 16,799; against the constitution, 6,384.

PREAMBLE.

We, the people of Wisconsin, grateful to Almighty God for our freedom, in order to secure its blessings, form a more perfect government, insure domestic tranquility, and promote the general welfare, do establish this constitution.

ARTICLE I.

DECLARATION OF RIGHTS.

SECTION 1. All men are born equally free and independent, and have certain inherent rights; among these are life, liberty, and the pursuit of happiness. To secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed.

SECTION 2. There shall be neither slavery nor involuntary servitude in this state, otherwise than for the punishment of crime, whereof the party shall have been duly convicted.

SECTION 3. Every person may freely speak, write and publish his sentiments on all subjects, being responsible for the abuse of that right, and no laws shall be passed to restrain or abridge the liberty of speech or of the press. In all criminal prosecutions, or indictments for libel, the truth may be given in evidence, and if it shall appear to the jury that the matter charged as libelous be true, and was published with good motives and for justifiable ends, the party shall be acquitted; and the jury shall have the right to determine the law and the fact.

SECTION 4. The right of the people peaceably to assemble, to consult

for the common good, to petition the government, or any department thereof, shall never be abridged.

SECTION 5. The right of trial by jury shall remain inviolate; and shall extend to all cases at law, without regard to the amount in controversy; but a jury trial may be waived by the parties in all cases, in the manner prescribed by law.

SECTION 6. Excessive bail shall not be required, nor shall excessive fines be imposed, nor cruel and unusual punishments inflicted.

SECTION 7. In all criminal prosecutions, the accused shall enjoy the right to be heard by himself and counsel; to demand the nature and cause of the accusation against him; to meet the witnesses face to face; to have compulsory process to compel the attendance of witnesses in his behalf; and in prosecutions by indictment or information, to a speedy public trial by an impartial jury of the county or district wherein the offense shall have been committed, which county or district shall have been previously ascertained by law.

SECTION 8. No person shall be held to answer for a criminal offense, unless on the presentment or indictment of a grand jury, except in cases of impeachment, or in cases cognizable by justices of the peace, or arising in the army or navy, or in the militia when in actual service in time of war or public danger; and no person for the same offense shall be put twice in jeopardy of punishment, nor shall be compelled in any criminal case to be a witness against himself. All persons shall, before conviction, be bailable by sufficient sureties, except for capital offenses, when the proof is evident or the presumption great; and the privilege of the writ of habeas corpus shall not be suspended, unless when, in cases of rebellion or invasion, the public safety may require.

SECTION 9. Every person is entitled to a certain remedy in the laws, for all injuries or wrongs which he may receive in his person, property or character; he ought to obtain justice freely, and without being obliged to purchase it; completely and without denial, promptly and without delay, conformably to the laws.

SECTION 10. Treason against the state shall consist only in levying war against the same, or in adhering to its enemies, giving them aid and comfort. No person shall be convicted of treason, unless on the testimony of two witnesses to the same overt act, or on confession in open court.

SECTION 11. The right of the people to be secure in their persons, houses, papers and effects, against unreasonable searches and seizures, shall not be violated, and no warrant shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

SECTION 12. No bill of attainder, ex post facto law, nor any law impairing the obligation of contracts, shall ever be passed, and no conviction shall work corruption of blood or forfeiture of estate.

SECTION 13. The property of no person shall be taken for public use without just compensation therefor.

SECTION 14. All lands within the state are declared to be allodial, and feudal tenures are prohibited. Leases and grants of agricultural land, for a longer term than fifteen years, in which rent or service of any kind shall be reserved, and all fines and like restraints upon alienation, reserved in any grant of land hereafter made, are declared to be void.

SECTION 15. No distinction shall ever be made by law between resident aliens and citizens, in reference to the possession, enjoyment or descent of property.

SECTION 16. No person shall be imprisoned for debt arising out of or founded on a contract, express or implied.

SECTION 17. The privilege of the debtor to enjoy the necessary comforts of life, shall be recognized by wholesome laws, exempting a reasonable amount of property from seizure or sale for the payment of any debt or liability hereafter contracted.

SECTION 18. The right of every man to worship Almighty God according to the dictates of his own conscience shall never be infringed; nor shall any man be compelled to attend, erect or support any place of worship, or to maintain any ministry, against his consent. Nor shall any control of, or interference with, the rights of conscience be permitted, or any preference be given by law to any religious establishments, or modes of worship. Nor shall any money be drawn from the treasury for the benefit of religious societies, or religious or theological seminaries.

SECTION 19. No religious tests shall ever be required as a qualification for any office of public trust under the state, and no person shall be rendered incompetent to give evidence in any court of law or equity, in consequence of his opinions on the subject of religion.

SECTION 20. The military shall be in strict subordination to the civil power.

SECTION 21. Writs of error shall never be prohibited by law.

SECTION 22. The blessings of a free government can only be maintained by a firm adherence to justice, moderation, temperance, frugality and virtue, and by frequent recurrence to fundamental principles.

ARTICLE II.

BOUNDARIES.

SECTION 1. It is hereby ordained and declared that the state of Wisconsin doth consent and accept of the boundaries prescribed in the act of congress entitled "An act to enable the people of Wisconsin territory to form a constitution and state government, and for the admission of such state into the Union," approved August sixth, one thousand eight hundred and forty-six, to wit: Beginning at the northeast corner of the

state of Illinois, that is to say, at a point in the center of Lake Michigan, where the line of forty-two degrees and thirty minutes of north latitude crosses the same; thence running with the boundary line of the state of Michigan through Lake Michigan, Green Bay, to the mouth of Menomonee river; thence up the channel of the said river to the Brule river; thence up said last mentioned river to Lake Brule; thence along the southern shore of Lake Brule, in a direct line to the center of the channel between Middle and South islands, in the Lake of the Desert; thence in a direct line to the head waters of the Montreal river, as marked upon the survey made by Captain Cramm; thence down the main channel of the Montreal river to the middle of Lake Superior; thence through the center of Lake Superior to the mouth of the St. Louis river; thence up the main channel of said river to the first rapids in the same, above the Indian village, according to Nicolett's map; thence due south to the main branch of the river St. Croix; thence down the main channel of said river to the Mississippi; thence down the center of the main channel of that river to the northwest corner of the state of Illinois; thence due east with the northern boundary of the state of Illinois to the place of beginning, as established by "An act to enable the people of the Illinois territory to form a constitution and state government, and for the admission of such state into the Union on an equal footing with the original states," approved April 18th, 1818: *Provided, however*, That the following alteration of the aforesaid boundary be, and hereby is, proposed to the congress of the United States, as the preference of the state of Wisconsin, and if the same shall be assented and agreed to by the congress of the United States, then the same shall be and forever remain obligatory on the state of Wisconsin, viz.: Leaving the aforesaid boundary line at the foot of the rapids of the St. Louis river; thence in a direct line, bearing southwesterly, to the mouth of the Iskodewabo, or Rum river, where the same empties into the Mississippi river; thence down the main channel of the said Mississippi river, as prescribed in the aforesaid boundary.

SECTION 2. The propositions contained in the act of congress are hereby accepted, ratified and confirmed, and shall remain irrevocable without the consent of the United States; and it is hereby ordained that this state shall never interfere with the primary disposal of the soil within the same by the United States, nor with any regulations congress may find necessary for securing the title in such soil to bona fide purchasers thereof; and no tax shall be imposed on land the property of the United States; and in no case shall non-resident proprietors be taxed higher than residents: *Provided*, that nothing in this constitution, or in the act of congress aforesaid, shall in any manner prejudice or affect the right of the state of Wisconsin to five hundred thousand acres of land granted to said state, and to be hereafter selected and located by and under the act of congress, entitled "An act to appropriate the proceeds

of the sales of the public lands, and grant pre-emption rights," approved September fourth, one thousand eight hundred and forty-one.

ARTICLE III.

SUFFRAGE.

SECTION 1. Every male person of the age of twenty-one years or upwards, belonging to either of the following classes, who shall have resided in the state for one year next preceding any election, shall be deemed a qualified elector at such election:

1st. White citizens of the United States.

2d. White persons of foreign birth who shall have declared their intention to become citizens, conformably to the laws of the United States on the subject of naturalization.

3d. Persons of Indian blood who have once been declared by law of congress to be citizens of the United States, any subsequent law of congress to the contrary notwithstanding.

4th. Civilized persons of Indian descent, not members of any tribe.

Provided, that the legislature may at any time extend by law the right of suffrage to persons not herein enumerated; but no such law shall be in force until the same shall have been submitted to a vote of the people at a general election, and approved by a majority of all the votes cast at such election.

SECTION 2. No person under guardianship, non compos mentis, or insane, shall be qualified to vote at any election; nor shall any person convicted of treason or felony be qualified to vote at any election, unless restored to civil rights.

SECTION 3. All votes shall be given by ballot, except for such township officers as may by law be directed or allowed to be otherwise chosen.

SECTION 4. No person shall be deemed to have lost his residence in this state by reason of his absence on business of the United States or of this state.

SECTION 5. No soldier, seaman, or marine, in the army or navy of the United States, shall be deemed a resident of this state in consequence of being stationed within the same.

SECTION 6. Laws may be passed excluding from the right of suffrage all persons who have been or may be convicted of bribery or larceny, or of any infamous crime, and depriving every person who shall make, or become directly or indirectly interested in any bet or wager depending upon the result of any election, from the right to vote at such election.

ARTICLE IV.

LEGISLATIVE.

SECTION 1. The legislative power shall be vested in a senate and assembly.

SECTION 2. The number of the members of the assembly shall never be less than fifty-four, nor more than one hundred. The senate shall consist of a number not more than one-third nor less than one-fourth of the number of the members of the assembly.

SECTION 3. The legislature shall provide by law for an enumeration of the inhabitants of the state, in the year one thousand eight hundred and fifty-five, and at the end of every ten years thereafter; and at their first session after such enumeration, and also after each enumeration made by the authority of the United States, the legislature shall apportion and district anew the members of the senate and assembly, according to the number of inhabitants, excluding Indians not taxed, and soldiers and officers of the United States army and navy.

SECTION 4. The members of the assembly shall be chosen annually by single districts on the Tuesday succeeding the first Monday of November, by the qualified electors of the several districts; such districts to be bounded by county, precinct, town or ward lines, to consist of contiguous territory, and be in as compact form as practicable.

SECTION 5. The senators shall be chosen by single districts of convenient contiguous territory, at the same time and in the same manner as members of the assembly are required to be chosen, and no assembly district shall be divided in the formation of a senate district. The senate districts shall be numbered in regular series, and the senators chosen by the odd numbered districts shall go out of office at the expiration of the first year, and the senators chosen by the even numbered districts shall go out of office at the expiration of the second year, and thereafter the senators shall be chosen for the term of two years.

SECTION 6. No person shall be eligible to the legislature who shall not have resided one year within the state, and be a qualified elector in the district which he may be chosen to represent.

SECTION 7. Each house shall be the judge of the elections, returns and qualifications of its own members, and a majority of each shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may compel the attendance of absent members in such manner, and under such penalties, as each house may provide.

SECTION 8. Each house may determine the rules of its own proceedings, punish for contempt and disorderly behavior, and, with the concurrence of two-thirds of all the members elected, expel a member; but no member shall be expelled a second time for the same cause.

SECTION 9. Each house shall choose its own officers, and the senate

shall choose a temporary president, when the lieutenant governor shall not attend as president, or shall act as governor.

SECTION 10. Each house shall keep a journal of its proceedings, and publish the same, except such parts as require secrecy. The doors of each house shall be kept open, except when the public welfare shall require secrecy. Neither house shall, without consent of the other, adjourn for more than three days.

SECTION 11. The legislature shall meet at the seat of government at such time as shall be provided by law, once in each year, and not oftener, unless convened by the governor.

SECTION 12. No member of the legislature shall, during the term for which he was elected, be appointed or elected to any civil office in the state, which shall have been created, or the emoluments of which shall have been increased, during the term for which he was elected.

SECTION 13. No person being a member of congress, or holding any military or civil office under the United States, shall be eligible to a seat in the legislature; and if any person shall, after his election as a member of the legislature, be elected to congress, or be appointed to any office, civil or military, under the government of the United States, his acceptance thereof shall vacate his seat.

SECTION 14. The governor shall issue writs of election to fill such vacancies as may occur in either house of the legislature.

SECTION 15. Members of the legislature shall, in all cases except treason, felony, and breach of the peace, be privileged from arrest; nor shall they be subject to any civil process during the session of the legislature, nor for fifteen days next before the commencement and after the termination of each session.

SECTION 16. No member of the legislature shall be liable in any civil action, or criminal prosecution whatever, for words spoken in debate.

SECTION 17. The style of the laws of the state shall be, "The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:" and no law shall be enacted except by bill.

SECTION 18. No private or local bill which may be passed by the legislature shall embrace more than one subject, and that shall be expressed in the title.

SECTION 19. Any bill may originate in either house of the legislature, and a bill passed by one house may be amended by the other.

SECTION 20. The yeas and nays of the members of either house, on any question, shall, at the request of one-sixth of those present, be entered on the journal.

SECTION 21. Each member of the legislature shall receive for his services two dollars and fifty cents for each day's attendance during the session, and ten cents for every mile he shall travel in going to and returning from the place of the meeting of the legislature, on the most usual route.

SECTION 22. The legislature may confer upon the boards of supervisors of the several counties of the state, such powers of a local, legislative and administrative character as they shall from time to time prescribe.

SECTION 23. The legislature shall establish but one system of town and county government, which shall be as nearly uniform as practicable.

SECTION 24. The legislature shall never authorize any lottery, or grant any divorce.

SECTION 25. The legislature shall provide by law that all stationery required for the use of the state, and all printing authorized and required by them to be done for their use, or for the state, shall be let by contract to the lowest bidder; but the legislature may establish a maximum price. No member of the legislature or other state officer shall be interested, either directly or indirectly, in any such contract.

SECTION 26. The legislature shall never grant any extra compensation to any public officer, agent, servant or contractor, after the services shall have been rendered or the contract entered into. Nor shall the compensation of any public officer be increased or diminished during his term of office.

SECTION 27. The legislature shall direct by law in what manner and in what courts suits may be brought against the state.

SECTION 28. Members of the legislature, and all officers, executive and judicial, except such inferior officers as may be by law exempted, shall, before they enter upon the duties of their respective offices, take and subscribe an oath or affirmation to support the constitution of the United States, and the constitution of the state of Wisconsin, and faithfully to discharge the duties of their respective offices to the best of their ability.

SECTION 29. The legislature shall determine what persons shall constitute the militia of the state, and may provide for organizing and disciplining the same in such manner as shall be prescribed by law.

SECTION 30. In all elections to be made by the legislature, the members thereof shall vote *vive voce*, and their votes shall be entered on the journal.

ARTICLE V.

EXECUTIVE.

SECTION 1. The executive power shall be vested in a governor, who shall hold his office for two years. A lieutenant governor shall be elected at the same time and for the same term.

SECTION 2. No person except a citizen of the United States, and a qualified elector of this state, shall be eligible to the office of governor or lieutenant governor.

SECTION 3. The governor and lieutenant governor shall be elected by

the qualified electors of the state, at the times and places of choosing members of the legislature. The persons respectively having the highest number of votes for governor and lieutenant governor, shall be elected. But in case two or more shall have an equal and the highest number of votes for governor or lieutenant governor, the two houses of the legislature, at its next annual session, shall forthwith, by joint ballot, choose one of the persons so having an equal and the highest number of votes, for governor or lieutenant governor. The returns of election for governor and lieutenant governor shall be made in such manner as shall be provided by law.

SECTION 4. The governor shall be commander-in-chief of the military and naval forces of the state. He shall have power to convene the legislature on extraordinary occasions; and in case of invasion, or danger from the prevalence of contagious disease at the seat of government, he may convene them at any other suitable place within the state. He shall communicate to the legislature, at every session, the condition of the state, and recommend such matters to them for their consideration as he may deem expedient. He shall transact all necessary business with the officers of the government, civil and military. He shall expedite all such measures as may be resolved upon by the legislature, and shall take care that the laws be faithfully executed.

SECTION 5. The governor shall receive, during his continuance in office, an annual compensation of one thousand two hundred and fifty dollars.

SECTION 6. The governor shall have power to grant reprieves, commutations and pardons after conviction, for all offenses except treason and cases of impeachment, upon such conditions and with such restrictions and limitations as he may think proper, subject to such regulations as may be provided by law relative to the manner of applying for pardons. Upon conviction for treason, he shall have the power to suspend the execution of the sentence until the case shall be reported to the legislature at its next meeting, when the legislature shall either pardon, or commute the sentence, direct the execution of the sentence, or grant a further reprieve. He shall annually communicate to the legislature each case of reprieve, commutation or pardon granted, stating the name of the convict, the crime of which he was convicted, the sentence and its date, and the date of the commutation, pardon, or reprieve, with his reasons for granting the same.

SECTION 7. In case of the impeachment of the governor, or his removal from office, death, inability from mental or physical disease, resignation, or absence from the state, the powers and duties of the office shall devolve upon the lieutenant governor, for the residue of the term, or until the governor, absent or impeached, shall have returned, or the disability shall cease. But when the governor shall, with the consent of the legislature, be out of the state in time of war, at the head of the military

force thereof, he shall continue commander-in-chief of the military force of the state.

SECTION 8. The lieutenant governor shall be president of the senate, but shall have only a casting vote therein. If, during a vacancy in the office of governor, the lieutenant governor shall be impeached, displaced, resign, die, or from mental or physical disease become incapable of performing the duties of his office, or be absent from the state, the secretary of state shall act as governor until the vacancy shall be filled, or the disability shall cease.

SECTION 9. The lieutenant governor shall receive double the per diem allowance of members of the senate for every day's attendance as president of the senate, and the same mileage as shall be allowed to members of the legislature.

SECTION 10. Every bill which shall have passed the legislature shall, before it becomes a law, be presented to the governor. If he approve, he shall sign it; but if not, he shall return it, with his objections, to that house in which it shall have originated, who shall enter the objections at large upon the journal, and proceed to reconsider it. If, after such reconsideration, two-thirds of the members present shall agree to pass the bill, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered, and if approved by two-thirds of the members present, it shall become a law. But in all such cases, the votes of both houses shall be determined by yeas and nays, and the names of the members voting for or against the bill shall be entered on the journal of each house respectively. If any bill shall not be returned by the governor within three days (Sundays excepted) after it shall have been presented to him, the same shall be a law, unless the legislature shall, by their adjournment, prevent its return; in which case it shall not be a law.

ARTICLE VI.

ADMINISTRATIVE.

SECTION 1. There shall be chosen by the qualified electors of the state, at the times and places of choosing the members of the legislature, a secretary of state, treasurer and attorney general, who shall severally hold their offices for the term of two years.

SECTION 2. The secretary of state shall keep a fair record of the official acts of the legislature and executive department of the state, and shall, when required, lay the same, and all matters relative thereto, before either branch of the legislature. He shall be *ex-officio* auditor, and shall perform such other duties as shall be assigned him by law. He shall receive as a compensation for his services yearly, such sum as shall be provided by law, and shall keep his office at the seat of government.

SECTION 3. The powers, duties and compensation of the treasurer and attorney general shall be prescribed by law.

SECTION 4. Sheriffs, coroners, registers of deeds and district attorneys shall be chosen by the electors of the respective counties, once in every two years, and as often as vacancies shall happen. Sheriffs shall hold no other office, and be ineligible for two years next succeeding the termination of their offices. They may be required by law to renew their security from time to time; and in default of giving such new security, their offices shall be deemed vacant. But the county shall never be made responsible for the acts of the sheriff. The governor may remove any officer in this section mentioned, giving to such officer a copy of the charges against him, and an opportunity of being heard in his defense.

ARTICLE VII.

JUDICIARY.

SECTION 1. The court for the trial of impeachments shall be composed of the senate. The house of representatives shall have the power of impeaching all civil officers of this state, for corrupt conduct in office, or for crimes and misdemeanors; but a majority of all the members elected shall concur in an impeachment. On the trial of an impeachment against the governor, the lieutenant governor shall not act as a member of the court. No judicial officer shall exercise his office, after he shall have been impeached, until his acquittal. Before the trial of an impeachment, the members of the court shall take an oath or affirmation, truly and impartially to try the impeachment according to evidence; and no person shall be convicted without the concurrence of two-thirds of the members present. Judgment in cases of impeachment shall not extend further than to removal from office, or removal from office and disqualification to hold any office of honor, profit or trust under the state; but the party impeached shall be liable to indictment, trial and punishment according to law.

SECTION 2. The judicial power of this state, both as to matters of law and equity, shall be vested in a supreme court, circuit courts, courts of probate, and in justices of the peace. The legislature may also vest such jurisdiction as shall be deemed necessary in municipal courts, and shall have power to establish inferior courts, in the several counties, with limited civil and criminal jurisdiction: *Provided*, that the jurisdiction which may be vested in municipal courts, shall not exceed, in their respective municipalities, that of circuit courts, in their respective circuits, as prescribed in this constitution; and that the legislature shall provide as well for the election of judges of the municipal courts, as of the judges of inferior courts, by the qualified electors of the respective jurisdictions. The term of office of the judges of the said municipal and

inferior courts shall not be longer than that of the judges of the circuit court.

SECTION 3. The supreme court, except in cases otherwise provided in this constitution, shall have appellate jurisdiction only, which shall be co-extensive with the state; but in no case removed to the supreme court shall a trial by jury be allowed. The supreme court shall have a general superintending control over all inferior courts; it shall have power to issue writs of habeas corpus, mandamus, injunction, quo warranto, certiorari, and other original and remedial writs, and to hear and determine the same.

SECTION 4. For the term of five years, and thereafter until the legislature shall otherwise provide, the judges of the several circuit courts shall be judges of the supreme court, four of whom shall constitute a quorum, and the concurrence of a majority of the judges present shall be necessary to a decision. The legislature shall have power, if they should think it expedient and necessary, to provide by law for the organization of a separate supreme court, with the jurisdiction and powers prescribed in this constitution, to consist of one chief justice, and two associate justices, to be elected by the qualified electors of the state, at such time and in such manner as the legislature may provide. The separate supreme court, when so organized, shall not be changed or discontinued by the legislature; the judges thereof shall be so classified that but one of them shall go out of office at the same time; and their term of office shall be the same as is provided for the judges of the circuit court. And whenever the legislature may consider it necessary to establish a separate supreme court, they shall have power to reduce the number of circuit judges to four, and subdivide the judicial circuits, but no such subdivision or reduction shall take effect until after the expiration of the term of some one of said judges, or until a vacancy occur by some other means.

SECTION 5. The state shall be divided into five judicial circuits, to be composed as follows: The first circuit shall comprise the counties of Racine, Walworth, Rock and Green. The second circuit, the counties of Milwaukee, Waukesha, Jefferson and Dane. The third circuit, the counties of Washington, Dodge, Columbia, Marquette, Sauk and Portage. The fourth circuit, the counties of Brown, Manitowoc, Sheboygan, Fond du Lac, Winnebago and Calumet; and the fifth circuit shall comprise the counties of Iowa, La Fayette, Grant, Crawford and St. Croix; and the county of Richland shall be attached to Iowa, the county of Chippewa to the county of Crawford, and the county of La Pointe to the county of St. Croix, for judicial purposes, until otherwise provided by the legislature.

SECTION 6. The legislature may alter the limits or increase the number of circuits, making them as compact and convenient as practicable, and bounding them by county lines; but no such alteration or increase

shall have the effect to remove a judge from office. In case of an increase of circuits, the judge or judges shall be elected as provided in this constitution, and receive a salary not less than that herein provided for judges of the circuit court.

SECTION 7. For each circuit there shall be a judge chosen by the qualified electors therein, who shall hold his office as is provided in this constitution, and until his successor shall be chosen and qualified; and after he shall have been elected, he shall reside in the circuit for which he was elected. One of said judges shall be designated as chief justice, in such manner as the legislature shall provide. And the legislature shall, at its first session, provide by law as well for the election of as for classifying the judges of the circuit courts to be elected under this constitution, in such manner that one of said judges shall go out of office in two years, one in three years, one in four years, one in five years and one in six years, and thereafter the judge elected to fill the office shall hold the same for six years.

SECTION 8. The circuit courts shall have original jurisdiction in all matters, civil and criminal, within this state, not excepted in this constitution, and not hereafter prohibited by law, and appellate jurisdiction from all inferior courts and tribunals, and a supervisory control over the same. They shall also have the power to issue writs of habeas corpus, mandamus, injunction, quo warranto, certiorari, and all other writs necessary to carry into effect their orders, judgments and decrees, and give them a general control over inferior courts and jurisdictions.

SECTION 9. When a vacancy shall happen in the office of judge of the supreme or circuit courts, such vacancy shall be filled by an appointment of the governor, which shall continue until a successor is elected and qualified; and when elected, such successor shall hold his office the residue of the unexpired term. There shall be no election for a judge or judges at any general election for state or county officers, nor within thirty days either before or after such election.

SECTION 10. Each of the judges of the supreme and circuit courts shall receive a salary, payable quarterly, of not less than one thousand five hundred dollars annually; they shall receive no fees of office, or other compensation than their salaries; they shall hold no office of public trust, except a judicial office, during the term for which they are respectively elected, and all votes for either of them for any office except a judicial office, given by the legislature or the people, shall be void. No person shall be eligible to the office of judge, who shall not, at the time of his election, be a citizen of the United States, and have attained the age of twenty-five years, and be a qualified elector within the jurisdiction for which he may be chosen.

SECTION 11. The supreme court shall hold at least one term annually, at the seat of government of the state, at such time as shall be provided by law; and the legislature may provide for holding other terms, and at

other places, when they may deem it necessary. A circuit court shall be held, at least twice in each year, in each county of this state organized for judicial purposes. The judges of the circuit court may hold courts for each other, and shall do so when required by law.

SECTION 12. There shall be a clerk of the circuit court chosen in each county organized for judicial purposes, by the qualified electors thereof, who shall hold his office for two years, subject to removal, as shall be provided by law. In case of a vacancy, the judge of the circuit court shall have the power to appoint a clerk until the vacancy shall be filled by an election. The clerk thus elected or appointed shall give such security as the legislature may require; and when elected shall hold his office for a full term. The supreme court shall appoint its own clerk, and the clerk of a circuit court may be appointed clerk of the supreme court.

SECTION 13. Any judge of the supreme or circuit court may be removed from office by address of both houses of the legislature, if two-thirds of all the members elected to each house concur therein; but no removal shall be made by virtue of this section, unless the judge complained of shall have been served with a copy of the charges against him as the ground of address, and shall have had an opportunity of being heard in his defense. On the question of removal, the ayes and noes shall be entered on the journals.

SECTION 14. There shall be chosen in each county, by the qualified electors thereof, a judge of probate, who shall hold his office for two years, and until his successor shall be elected and qualified, and whose jurisdiction, powers and duties shall be prescribed by law: *Provided, however*, that the legislature shall have power to abolish the office of judge of probate in any county, and to confer probate powers upon such inferior courts as may be established in said county.

SECTION 15. The electors of the several towns, at their annual town meeting, and the electors of cities and villages, at their charter elections, shall, in such manner as the legislature may direct, elect justices of the peace, whose term of office shall be for two years, and until their successors in office shall be elected and qualified. In case of an election to fill a vacancy occurring before the expiration of a full term, the justice elected shall hold for the residue of the unexpired term. Their number and classification shall be regulated by law. And the tenure of two years shall in no wise interfere with the classification in the first instance. The justices thus elected shall have such civil and criminal jurisdiction as shall be prescribed by law.

SECTION 16. The legislature shall pass laws for the regulation of tribunals of conciliation, defining their powers and duties. Such tribunals may be established in and for any township, and shall have power to render judgment to be obligatory on the parties, when they shall vol-

untarily submit their matter in difference to arbitration, and agree to abide the judgment, or assent thereto in writing.

SECTION 17. The style of all writs and process shall be, "The State of Wisconsin." All criminal prosecutions shall be carried on in the name and by the authority of the same; and all indictments shall conclude against the peace and dignity of the state.

SECTION 18. The legislature shall impose a tax on all civil suits commenced or prosecuted in the municipal, inferior or circuit courts, which shall constitute a fund to be applied toward the payment of the salary of judges.

SECTION 19. The testimony in causes in equity shall be taken in like manner as in cases at law; and the office of master in chancery is hereby prohibited.

SECTION 20. Any suitor, in any court of this state, shall have the right to prosecute or defend his suit either in his own proper person, or by an attorney or agent of his choice.

SECTION 21. The legislature shall provide by law for the speedy publication of all statute laws, and of such judicial decisions, made within the state, as may be deemed expedient. And no general law shall be in force until published.

SECTION 22. The legislature at its first session after the adoption of this constitution, shall provide for the appointment of three commissioners, whose duty it shall be to inquire into, revise, and simplify the rules of practice, pleadings, forms and proceedings, and arrange a system adapted to the courts of record of this state, and report the same to the legislature, subject to their modification and adoption; and such commission shall terminate upon the rendering of the report, unless otherwise provided by law.

SECTION 23. The legislature may provide for the appointment of one or more persons in each organized county, and may vest in such persons such judicial powers as shall be prescribed by law: *Provided*, that said power shall not exceed that of a judge of the circuit court at chambers.

ARTICLE VIII.

FINANCE.

SECTION 1. The rule of taxation shall be uniform, and taxes shall be levied upon such property as the legislature shall prescribe.

SECTION 2. No money shall be paid out of the treasury, except in pursuance of an appropriation by law.

SECTION 3. The credit of the state shall never be given or loaned in aid of any individual, association or corporation.

SECTION 4. This state shall never contract any public debt, except in the cases and manner herein provided.

SECTION 5. The legislature shall provide for an annual tax sufficient to defray the estimated expenses of the state for each year; and whenever the expenses of any year shall exceed the income, the legislature shall provide for levying a tax for the ensuing year, sufficient, with other sources of income, to pay the deficiency as well as the estimated expenses of such ensuing year.

SECTION 6. For the purpose of defraying extraordinary expenditures, the state may contract public debts (but such debts shall never, in the aggregate, exceed one hundred thousand dollars). Every such debt shall be authorized by law, for some purpose or purposes to be distinctly specified therein; and the vote of a majority of all the members elected to each house, to be taken by yeas and nays, shall be necessary to the passage of such law; and every such law shall provide for levying an annual tax sufficient to pay the annual interest of such debt, and the principal within five years from the passage of such law, and shall specially appropriate the proceeds of such taxes to the payment of such principal and interest; and such appropriation shall not be repealed, nor the taxes be postponed or diminished, until the principal and interest of such debt shall have been wholly paid.

SECTION 7. The legislature may also borrow money to repel invasion, suppress insurrection, or defend the state in time of war; but the money thus raised shall be applied exclusively to the object for which the loan was authorized, or to the repayment of the debt thereby created.

SECTION 8. On the passage, in either house of the legislature, of any law which imposes, continues or renews a tax, or creates a debt or charge, or makes, continues or renews an appropriation of public or trust money, or releases, discharges or commutes a claim or demand of the state, the question shall be taken by yeas and nays, which shall be duly entered on the journals; and three-fifths of all the members elected to such house shall, in all such cases, be required to constitute a quorum therein.

SECTION 9. No scrip, certificate, or other evidence of state debt whatsoever, shall be issued, except for such debts as are authorized by the sixth and seventh sections of this article.

SECTION 10. The state shall never contract any debt for works of internal improvement, or be a party in carrying on such works; but whenever grants of land or other property shall have been made to the state, especially dedicated by the grant to particular works of internal improvement, the state may carry on such particular works, and shall devote thereto the avails of such grants, and may pledge or appropriate the revenues derived from such works in aid of their completion.

ARTICLE IX.

EMINENT DOMAIN AND PROPERTY OF THE STATE.

SECTION 1. The state shall have concurrent jurisdiction on all rivers and lakes bordering on this state, so far as such rivers or lakes shall form a common boundary to the state, and any other state or territory now or hereafter to be formed, and bounded by the same. And the river Mississippi, and the navigable waters leading into the Mississippi and St. Lawrence, and the carrying places between the same, shall be common highways, and forever free, as well to the inhabitants of this state, as to the citizens of the United States, without any tax, impost, or duty therefor.

SECTION 2. The title to all lands and other property which have accrued to the territory of Wisconsin by grant, gift, purchase, forfeiture, escheat or otherwise, shall vest in the state of Wisconsin.

SECTION 3. The people of the state, in their right of sovereignty, are declared to possess the ultimate property in and to all lands within the jurisdiction of the state; and all lands the title to which shall fail from a defect of heirs, shall revert or escheat to the people.

ARTICLE X.

EDUCATION.

SECTION 1. The supervision of public instruction shall be vested in a state superintendent, and such other officers as the legislature shall direct. The state superintendent shall be chosen by the qualified electors of the state, in such manner as the legislature shall provide; his powers, duties and compensation shall be prescribed by law: *Provided*, that his compensation shall not exceed the sum of twelve hundred dollars annually.

SECTION 2. The proceeds of all lands that have been or hereafter may be granted by the United States to this state for educational purposes (except the lands heretofore granted for the purposes of a university), and all moneys, and the clear proceeds of all property that may accrue to the state by forfeiture or escheat, and all moneys which may be paid as an equivalent for exemption from military duty, and the clear proceeds of all fines collected, in the several counties, for any breach of the penal laws, and all moneys arising from any grant to the state, where the purposes of such grant are not specified, and the five hundred thousand acres of land to which the state is entitled by the provisions of an act of congress entitled "An act to appropriate the proceeds of the sales of the public lands, and to grant pre-emption rights," approved the fourth day of September, one thousand eight hundred and forty-one; and also the five per centum of the net proceeds of the public lands, to which the

state shall become entitled on her admission into the Union (if congress shall consent to such appropriation of the two grants last mentioned), shall be set apart as a separate fund, to be called the school fund, the interest of which, and all other revenues derived from the school lands, shall be exclusively applied to the following objects, to wit:

1st. To the support and maintenance of common schools in each school district, and the purchase of suitable libraries and apparatus therefor.

2d. The residue shall be appropriated to the support and maintenance of academies and normal schools, and suitable libraries and apparatus therefor.

SECTION 3. The legislature shall provide by law for the establishment of district schools, which shall be as nearly uniform as practicable; and such schools shall be free, and without charge for tuition, to all children between the ages of four and twenty years; and no sectarian instruction shall be allowed therein.

SECTION 4. Each town and city shall be required to raise by tax, annually, for the support of the common schools therein, a sum not less than one-half the amount received by such town or city respectively for school purposes from the income of the school fund.

SECTION 5. Provision shall be made by law for the distribution of the income of the school fund among the several towns and cities of the state, for the support of common schools therein, in some just proportion to the number of children and youth resident therein, between the ages of four and twenty years, and no appropriation shall be made from the school fund to any city or town, for the year in which said city or town shall fail to raise such tax, nor to any school district for the year in which a school shall not be maintained at least three months.

SECTION 6. Provision shall be made by law for the establishment of a state university, at or near the seat of state government, and for connecting with the same, from time to time, such colleges in different parts of the state, as the interests of education may require. The proceeds of all lands that have been or may hereafter be granted by the United States to the state, for the support of a university, shall be and remain a perpetual fund, to be called the university fund, the interest of which shall be appropriated to the support of the state university, and no sectarian instruction shall be allowed in such university.

SECTION 7. The secretary of state, treasurer and attorney general shall constitute a board of commissioners for the sale of the school and university lands, and for the investment of the funds arising therefrom. Any two of said commissioners shall be a quorum for the transaction of all business pertaining to the duties of their office.

SECTION 8. Provision shall be made by law for the sale of all school and university lands, after they shall have been appraised; and when any portion of such lands shall be sold, and the purchase money shall not

be paid at the time of the sale, the commissioners shall take security by mortgage upon the lands sold for the sum remaining unpaid, with seven per cent. interest thereon, payable annually at the office of the treasurer. The commissioners shall be authorized to execute a good and sufficient conveyance to all purchasers of such lands, and to discharge any mortgages taken as security, when the sum due thereon shall have been paid. The commissioners shall have power to withhold from sale any portion of such lands, when they shall deem it expedient, and shall invest all moneys arising from the sale of such lands, as well as all other university and school funds, in such manner as the legislature shall provide, and shall give such security for the faithful performance of their duties as may be required by law.

ARTICLE XI.

CORPORATIONS.

SECTION 1. Corporations without banking powers or privileges may be formed under general laws, but shall not be created by special act, except for municipal purposes, and in cases where, in the judgment of the legislature, the objects of the corporation cannot be attained under general laws. All general laws or special acts, enacted under the provisions of this section, may be altered or repealed by the legislature at any time after their passage.

SECTION 2. No municipal corporation shall take private property for public use, against the consent of the owner, without the necessity thereof being first established by the verdict of a jury.

SECTION 3. It shall be the duty of the legislature, and they are hereby empowered, to provide for the organization of cities and incorporated villages, and to restrict their power of taxation, assessment, borrowing money, contracting debts and loaning their credit, so as to prevent abuses in assessments and taxation, and in contracting debts by such municipal corporations.

SECTION 4. The legislature shall not have power to create, authorize, or incorporate, by any general or special law, any bank or banking power or privilege, or any institution or corporation having any banking power or privilege whatever, except as provided in this article.

SECTION 5. The legislature may submit to the voters at any general election, the question of "bank," or "no bank," and if at any such election a number of votes equal to a majority of all the votes cast at such election on that subject shall be in favor of banks, then the legislature shall have power to grant bank charters, or to pass a general banking law, with such restrictions and under such regulations as they may deem expedient and proper for the security of the bill-holders: *Provided*, that no such grant or law shall have any force or effect until the same shall have been

submitted to a vote of the electors of the state at some general election, and been approved by a majority of the votes cast on that subject at such election.

ARTICLE XII.

AMENDMENTS.

SECTION 1. Any amendment or amendments to this constitution may be proposed in either house of the legislature, and if the same shall be agreed to by a majority of the members elected to each of the two houses, such proposed amendment or amendments shall be entered on their journals, with the yeas and nays taken thereon, and referred to the legislature to be chosen at the next general election, and shall be published for three months previous to the time of holding such election; and if, in the legislature so next chosen, such proposed amendment or amendments shall be agreed to by a majority of all the members elected to each house, then it shall be the duty of the legislature to submit such proposed amendment or amendments to the people, in such manner and at such time as the legislature shall prescribe; and if the people shall approve and ratify such amendment or amendments by a majority of the electors voting thereon, such amendment or amendments shall become part of the constitution: *Provided*, that if more than one amendment be submitted, they shall be submitted in such manner that the people may vote for or against such amendments separately.

SECTION 2. If at any time a majority of the senate and assembly shall deem it necessary to call a convention to revise or change this constitution, they shall recommend to the electors to vote for or against a convention at the next election for members of the legislature; and if it shall appear that a majority of the electors voting thereon have voted for a convention, the legislature shall, at its next session, provide for calling such convention.

ARTICLE XIII.

MISCELLANEOUS PROVISIONS.

SECTION 1. The political year for the state of Wisconsin shall commence on the first Monday in January in each year, and the general election shall be holden on the Tuesday succeeding the first Monday in November in each year.

SECTION 2. Any inhabitant of this state who may hereafter be engaged, either directly or indirectly, in a duel, either as principal or accessory, shall forever be disqualified as an elector, and from holding any office under the constitution and laws of this state, and may be punished in such other manner as shall be prescribed by law.

SECTION 3. No member of congress, nor any person holding any office of profit or trust under the United States (postmasters excepted),

or under any foreign power; no person convicted of any infamous crime in any court within the United States, and no person being a defaulter to the United States, or to this state, or to any county or town therein, or to any state or territory within the United States, shall be eligible to any office of trust, profit or honor in this state.

SECTION 4. It shall be the duty of the legislature to provide a great seal for the state, which shall be kept by the secretary of state; and all official acts of the governor, his approbation of the laws excepted, shall be thereby authenticated.

SECTION 5. All persons residing upon Indian lands, within any county of the state, and qualified to exercise the right of suffrage under this constitution, shall be entitled to vote at the polls which may be held nearest their residence, for state, United States or county officers: *Provided*, that no person shall vote for county officers out of the county in which he resides.

SECTION 6. The elective officers of the legislature, other than the presiding officers, shall be a chief clerk and a sergeant-at-arms, to be elected by each house.

SECTION 7. No county with an area of nine hundred square miles or less, shall be divided, or have any part stricken therefrom, without submitting the question to a vote of the people of the county, nor unless a majority of all the legal voters of the county, voting on the question, shall vote for the same.

SECTION 8. No county seat shall be removed, until the point to which it is proposed to be moved shall be fixed by law, and a majority of the voters of the county, voting on the question, shall have voted in favor of its removal to such point.

SECTION 9. All county officers whose election or appointment is not provided for by this constitution, shall be elected by the electors of the respective counties, or appointed by the boards of supervisors, or other county authorities, as the legislature shall direct. All city, town and village officers, whose election or appointment is not provided for by this constitution, shall be elected by the electors of such cities, towns and villages, or of some division thereof, or appointed by such authorities thereof, as the legislature shall designate for that purpose. All other officers whose election or appointment is not provided for by this constitution, and all officers whose offices may hereafter be created by law, shall be elected by the people, or appointed, as the legislature may direct.

SECTION 10. The legislature may declare the cases in which any office shall be deemed vacant, and also the manner of filling the vacancy, where no provision is made for that purpose in this constitution.

ARTICLE XIV.

SCHEDULE.

SECTION 1. That no inconvenience may arise by reason of a change from a territorial to a permanent state government, it is declared that all rights, actions, prosecutions, judgments, claims and contracts, as well of individuals as of bodies corporate, shall continue as if no such change had taken place; and all process which may be issued under the authority of the territory of Wisconsin, previous to its admission into the Union of the United States, shall be as valid as if issued in the name of the state.

SECTION 2. All laws now in force in the territory of Wisconsin, which are not repugnant to this constitution, shall remain in force until they expire by their own limitation, or be altered or repealed by the legislature.

SECTION 3. All fines, penalties or forfeitures accruing to the territory of Wisconsin shall enure to the use of the state.

SECTION 4. All recognizances heretofore taken, or which may be taken before the change from territorial to a permanent state government, shall remain valid, and shall pass to, and may be prosecuted in the name of the state; and all bonds executed to the governor of the territory, or any other officer or court, in his or their official capacity, shall pass to the governor or state authority, and their successors in office, for the uses therein respectively expressed, and may be sued for and recovered accordingly; and all the estate or property, real, personal or mixed, and all judgments, bonds, specialties, choses in action, and claims or debts of whatsoever description, of the territory of Wisconsin, shall enure to and vest in the state of Wisconsin, and may be sued for and recovered in the same manner, and to the same extent, by the state of Wisconsin, as the same could have been by the territory of Wisconsin. All criminal prosecutions and penal actions which may have arisen, or which may arise, before the change from a territorial to a state government, and which shall then be pending, shall be prosecuted to judgment and execution in the name of the state. All offenses committed against the laws of the territory of Wisconsin, before the change from a territorial to a state government, and which shall not be prosecuted before such change, may be prosecuted in the name and by the authority of the state of Wisconsin, with like effect as though such change had not taken place; and all penalties incurred shall remain the same as if this constitution had not been adopted. All actions at law and suits in equity which may be pending in any of the courts of the territory of Wisconsin, at the time of the change from a territorial to a state government, may be continued and transferred to any court of the state which shall have jurisdiction of the subject matter thereof.

SECTION 5. All officers, civil and military, now holding their offices

under the authority of the United States, or of the territory of Wisconsin, shall continue to hold and exercise their respective offices until they shall be superseded by the authority of the state.

SECTION 6. The first session of the legislature of the state of Wisconsin shall commence on the first Monday in June next, and shall be held at the village of Madison, which shall be and remain the seat of government until otherwise provided for by law.

SECTION 7. All county, precinct and township officers shall continue to hold their respective offices, unless removed by the competent authority, until the legislature shall, in conformity with the provisions of this constitution, provide for the holding of elections to fill such offices respectively.

SECTION 8. The president of this convention shall, immediately after its adjournment, cause a fair copy of this constitution, together with a copy of the act of the legislature of this territory, entitled "An act in relation to the formation of a state government in Wisconsin, and to change the time of holding the annual session of the legislature," approved October 27, 1847, providing for the calling of this convention, and also a copy of so much of the last census of the territory as exhibits the number of its inhabitants, to be forwarded to the president of the United States, to be laid before the congress of the United States, at its present session.

SECTION 9. This constitution shall be submitted at an election to be held on the second Monday in March next, for ratification or rejection, to all white male persons of the age of twenty-one years or upwards, who shall then be residents of this territory and citizens of the United States, or shall have declared their intention to become such in conformity with the laws of congress on the subject of naturalization, and all persons having such qualifications shall be entitled to vote for or against the adoption of this constitution, and for all officers first elected under it. And if the constitution be ratified by the said electors, it shall become the constitution of the state of Wisconsin. On such of the ballots as are for the constitution, shall be written or printed the word "yes," and on such as are against the constitution, the word "no." The election shall be conducted in the manner now prescribed by law, and the returns made by the clerks of the boards of supervisors or county commissioners (as the case may be), to the governor of the territory, at any time before the tenth day of April next. And in the event of the ratification of this constitution by a majority of all the votes given, it shall be the duty of the governor of this territory to make proclamation of the same, and to transmit a digest of the returns to the senate and assembly of the state, on the first day of their session. An election shall be held for governor and lieutenant governor, treasurer, attorney general, members of the state legislature, and members of congress, on

the second Monday of May next; and no other or further notice of such election shall be required.

SECTION 10. Two members of congress shall also be elected on the second Monday in May next; and until otherwise provided by law, the counties of Milwaukee, Waukesha, Jefferson, Racine, Walworth, Rock and Green, shall constitute the first congressional district, and elect one member; and the counties of Washington, Sheboygan, Manitowoc, Calumet, Brown, Winnebago, Fond du Lac, Marquette, Sauk, Portage, Columbia, Dodge, Dane, Iowa, La Fayette, Grant, Richland, Crawford, Chippewa, St. Croix and La Pointe, shall constitute the second congressional district, and shall elect one member.

SECTION 11. The several elections provided for in this article shall be conducted according to the existing laws of the territory: *Provided*, that no elector shall be entitled to vote except in the town, ward, or precinct where he resides. The returns of election for senators and members of assembly shall be transmitted to the clerk of the board of supervisors, or county commissioners, as the case may be; and the votes shall be canvassed and certificates of election issued, as now provided by law. In the first senatorial district, the returns of the election for senator shall be made to the proper officer in the county of Brown; in the second senatorial district, to the proper officer in the county of Columbia; in the third senatorial district, to the proper officer in the county of Crawford; in the fourth senatorial district, to the proper officer in the county of Fond du Lac; and in the fifth senatorial district, to the proper officer in the county of Iowa. The returns of election for state officers and members of congress shall be certified and transmitted to the speaker of the assembly, at the seat of government, in the same manner as the vote for delegate to congress are required to be certified and returned by the laws of the territory of Wisconsin to the secretary of said territory, and in such time that they may be received on the first Monday in June next; and as soon as the legislature shall be organized, the speaker of the assembly and the president of the senate shall, in the presence of both houses, examine the returns, and declare who are duly elected to fill the several offices hereinbefore mentioned, and give to each of the persons elected a certificate of his election.

SECTION 12. Until there shall be a new apportionment, the senators and members of the assembly shall be apportioned among the several districts, as hereinafter mentioned, and each district shall be entitled to elect one senator or member of assembly, as the case may be.

The counties of Brown, Calumet, Manitowoc and Sheboygan, shall constitute the first senate district.

The counties of Columbia, Marquette, Portage and Sauk, shall constitute the second senate district.

The counties of Crawford, Chippewa, St. Croix and La Pointe, shall constitute the third senate district.

The counties of Fond du Lac and Winnebago shall constitute the fourth senate district.

The counties of Iowa and Richland shall constitute the fifth senate district.

The county of Grant shall constitute the sixth senate district.

The county of La Fayette shall constitute the seventh senate district.

The county of Green shall constitute the eighth senate district.

The county of Dane shall constitute the ninth senate district.

The county of Dodge shall constitute the tenth senate district.

The county of Washington shall constitute the eleventh senate district.

The county of Jefferson shall constitute the twelfth senate district.

The county of Waukesha shall constitute the thirteenth senate district.

The county of Walworth shall constitute the fourteenth senate district.

The county of Rock shall constitute the fifteenth senate district.

The towns of Southport, Pike, Pleasant Prairie, Paris, Bristol, Brighton, Salem and Wheatland, in the county of Racine, shall constitute the sixteenth senate district.

The towns of Racine, Caledonia, Mount Pleasant, Raymond, Norway, Rochester, Yorkville and Burlington, in the county of Racine, shall constitute the seventeenth senate district.

The third, fourth and fifth wards of the city of Milwaukee, and the towns of Lake, Oak Creek, Franklin and Greenfield, in the county of Milwaukee, shall constitute the eighteenth senate district.

The first and second wards of the city of Milwaukee, and the towns of Milwaukee, Wauwatosa and Granville, in the county of Milwaukee, shall constitute the nineteenth senate district.

The county of Brown shall constitute an assembly district.

The county of Calumet shall constitute an assembly district.

The county of Manitowoc shall constitute an assembly district.

The county of Columbia shall constitute an assembly district.

The counties of Crawford and Chippewa shall constitute an assembly district.

The counties of St. Croix and La Pointe shall constitute an assembly district.

The towns of Windsor, Sun Prairie and Cottage Grove, in the county of Dane, shall constitute an assembly district.

The towns of Madison, Cross Plains, Clarkson, Springfield, Verona, Montrose, Oregon and Greenfield, in the county of Dane, shall constitute an assembly district.

The towns of Rome, Dunkirk, Christiana, Albion and Rutland, in the county of Dane, shall constitute an assembly district.

The towns of Burnett, Chester, Le Roy and Williamstown, in the county of Dodge, shall constitute an assembly district.

The towns of Fairfield, Hubbard and Rubicon, in the county of Dodge, shall constitute an assembly district.

The towns of Hustisford, Asshippun, Lebanon and Emmet, in the county of Dodge, shall constitute an assembly district.

The towns of Elba, Lowell, Portland and Clyman, in the county of Dodge, shall constitute an assembly district.

The towns of Calamus, Beaver Dam, Fox Lake and Trenton, in the county of Dodge, shall constitute an assembly district.

The towns of Calumet, Forest, Auburn, Byron, Taychedah and Fond du Lac, in the county of Fond du Lac, shall constitute an assembly district.

The towns of Alto, Metomen, Ceresco, Rosendale, Waupun, Oakfield and Seven Mile Creek, in the county of Fond du Lac, shall constitute an assembly district.

The precincts of Hazel Green, Fairplay, Smeltzer's Grove and Jamestown, in the county of Grant, shall constitute an assembly district.

The precincts of Platteville, Head of Platte, Centerville, Muscoda and Fennimore, in the county of Grant, shall constitute an assembly district.

The precincts of Pleasant Valley, Potosi, Waterloo, Hurricane and New Lisbon, in the county of Grant, shall constitute an assembly district.

The precincts of Beetown, Patch Grove, Cassville, Millville and Lancaster, in the county of Grant, shall constitute an assembly district.

The county of Green shall constitute an assembly district.

The precincts of Dallas, Peddler's Creek, Mineral Point and Yellow Stone, in the county of Iowa, shall constitute an assembly district.

The precincts of Franklin, Dodgeville, Porter's Grove, Arena and Percussion, in the county of Iowa, and the county of Richland, shall constitute an assembly district.

The towns of Watertown, Aztalan and Waterloo, in the county of Jefferson, shall constitute an assembly district.

The towns of Ixonia, Concord, Sullivan, Hebron, Cold Spring and Palmyra, in the county of Jefferson, shall constitute an assembly district.

The towns of Lake Mills, Oakland, Koshkonong, Farmington and Jefferson, in the county of Jefferson, shall constitute an assembly district.

The precincts of Benton, Elk Grove, Belmont, Willow Springs, Prairie, and that part of Shullsburgh precinct north of town one, in the county of La Fayette, shall constitute an assembly district.

The precincts of Wiota, Wayne, Gratiot, White Oak Springs, Fever River, and that part of Shullsburgh precinct south of town two, in the county of La Fayette, shall constitute an assembly district.

The county of Marquette shall constitute an assembly district.

The first ward of the city of Milwaukee shall constitute an assembly district.

The second ward of the city of Milwaukee shall constitute an assembly district.

The third ward of the city of Milwaukee shall constitute an assembly district.

The fourth and fifth wards of the city of Milwaukee shall constitute an assembly district.

The towns of Franklin and Oak Creek, in the county of Milwaukee, shall constitute an assembly district.

The towns of Greenfield and Lake, in the county of Milwaukee, shall constitute an assembly district.

The towns of Granville, Wauwatosa and Milwaukee, in the county of Milwaukee, shall constitute an assembly district.

The county of Portage shall constitute an assembly district.

The town of Racine, in the county of Racine, shall constitute an assembly district.

The towns of Norway, Raymond, Caledonia and Mount Pleasant, in the county of Racine, shall constitute an assembly district.

The towns of Rochester, Burlington and Yorkville, in the county of Racine, shall constitute an assembly district.

The towns of Southport, Pike and Pleasant Prairie, in the county of Racine, shall constitute an assembly district.

The towns of Paris, Bristol, Brighton, Salem and Wheatland, in the county of Racine, shall constitute an assembly district.

The towns of Janesville and Bradford, in the county of Rock, shall constitute an assembly district.

The towns of Beloit, Turtle and Clinton, in the county of Rock, shall constitute an assembly district.

The towns of Magnolia, Union, Porter and Fulton, in the county of Rock, shall constitute an assembly district.

The towns of Milton, Lima and Johnstown, in the county of Rock, shall constitute an assembly district.

The towns of Newark, Rock, Avon, Spring Valley and Center, in the county of Rock, shall constitute an assembly district: *Provided*, that if the legislature shall divide the town of Center, they may attach such part of it to the district lying next north, as they may deem expedient.

The county of Sauk shall constitute an assembly district.

Precincts numbered one, three and seven, in the county of Sheboygan, shall constitute an assembly district.

Precincts numbered two, four, five and six, in the county of Sheboygan, shall constitute an assembly district.

The towns of Troy, East Troy and Spring Prairie, in the county of Walworth, shall constitute an assembly district.

The towns of Whitewater, Richmond and La Grange, in the county of Walworth, shall constitute an assembly district.

The towns of Geneva, Hudson and Bloomfield, in the county of Walworth, shall constitute an assembly district.

The towns of Darien, Sharon, Walworth and Linn, in the county of Walworth, shall constitute an assembly district.

The towns of Delavan, Sugar Creek, La Fayette and Elkhorn, in the county of Walworth, shall constitute an assembly district.

The towns of Lisbon, Menomonee and Brookfield, in the county of Waukesha, shall constitute an assembly district.

The towns of Warren, Oconomowoc, Summit and Ottowa, in the county of Waukesha, shall constitute an assembly district.

The towns of Delafield, Genesee and Pewaukee, in the county of Waukesha, shall constitute an assembly district.

The towns of Waukesha and New Berlin, in the county of Waukesha, shall constitute an assembly district.

The towns of Eagle, Mukwanago, Vernon and Muskego, in the county of Waukesha, shall constitute an assembly district.

The towns of Port Washington, Fredonia and Clarence, in the county of Washington, shall constitute an assembly district.

The towns of Grafton and Jackson, in the county of Washington, shall constitute an assembly district.

The towns of Mequon and Germantown, in the county of Washington, shall constitute an assembly district.

The towns of Polk, Richfield and Erin, in the county of Washington, shall constitute an assembly district.

The towns of Hartford, Addison, West Bend and North Bend, in the county of Washington, shall constitute an assembly district.

The county of Winnebago shall constitute an assembly district.

The foregoing districts are subject, however, so far to be altered that when any new town shall be organized, it may be added to either of the adjoining assembly districts.

SECTION 13. Such parts of the common law as are now in force in the territory of Wisconsin, not inconsistent with this constitution, shall be and continue part of the law of this state until altered or suspended by the legislature.

SECTION 14. The senators first elected in the even numbered senate districts, the governor, lieutenant governor, and other state officers first elected under this constitution, shall enter upon the duties of their respective offices on the first Monday of June next, and shall continue in office for one year from the first Monday of January next. The senators first elected in the odd numbered senate districts, and the members of the assembly first elected, shall enter upon their duties respectively on the first Monday of June next, and shall continue in office until the first Monday in January next.

SECTION 15. The oath of office may be administered by any judge or justice of the peace, until the legislature shall otherwise direct.

RESOLUTIONS.

Resolved, That the congress of the United States be and is hereby requested, upon the application of Wisconsin for admission into the Union, so to alter the provisions of an act of congress, entitled "An act to grant a quantity of land to the territory of Wisconsin for the purpose of aiding in opening a canal to connect the waters of Lake Michigan with those of Rock river," approved June eighteenth, eighteen hundred and thirty-eight; and so to alter the terms and conditions of the grant made therein, that the odd numbered sections thereby granted and remaining unsold, may be held and disposed of by the state of Wisconsin as part of the five hundred thousand acres of land to which said state is entitled by the provisions of an act of congress, entitled "An act to appropriate the proceeds of the sales of the public lands, and to grant pre-emption rights," approved the fourth day of September, eighteen hundred and forty-one; and further, that the even numbered sections reserved by congress may be offered for sale by the United States, for the same minimum price, and subject to the same rights of pre-emption, as other public lands of the United States.

Resolved, That congress be further requested to pass an act whereby the excess price over and above one dollar and twenty-five cents per acre, which may have been paid by the purchasers of said even numbered sections which shall have been sold by the United States, be refunded to the present owners thereof, or they be allowed to enter any of the public lands of the United States to an amount equal in value to the excess so paid.

Resolved, That in case the odd numbered sections shall be ceded to the state as aforesaid, the same shall be sold by the state in the same manner as other school lands: *Provided*, that the same rights of pre-emption as are now granted by the laws of the United States shall be secured to persons who may be actually settled upon such lands at the time of the adoption of this constitution: *And provided further*, that the excess price over and above one dollar and twenty-five cents per acre, absolutely or conditionally contracted to be paid by the purchasers of any part of said sections which shall have been sold by the territory of Wisconsin, shall be remitted to such purchasers, their representatives or assigns.

Resolved, That congress be requested, upon the application of Wisconsin for admission into the Union, to pass an act whereby the grant of five hundred thousand acres of land, to which the state of Wisconsin is entitled by the provisions of an act of congress, entitled "An act to appropriate the proceeds of the sales of the public lands, and to grant pre-emption rights," approved the fourth day of September, eighteen hundred and forty-one, and also the five per centum of the net proceeds of the public lands lying within the state, to which it shall become entitled on its admission into the Union, by the provisions of an act of

congress, entitled "An act to enable the people of Wisconsin territory to form a constitution and state government, and for the admission of such state into the Union," approved the sixth day of August, eighteen hundred and forty-six, shall be granted to the state of Wisconsin for the use of schools, instead of the purposes mentioned in said acts of congress respectively.

Resolved, That the congress of the United States be, and hereby is requested, upon the admission of this state into the Union, so to alter the provisions of the act of congress, entitled "An act to grant a certain quantity of land to aid in the improvement of the Fox and Wisconsin rivers, and to connect the same by a canal in the territory of Wisconsin," that the price of the lands reserved to the United States shall be reduced to the minimum price of the public lands.

Resolved, That the legislature of this state shall make provision by law for the sale of the lands granted to the state in aid of said improvements, subject to the same rights of pre-emption to the settlers thereon, as are now allowed by law to the settlers on the public lands.

Resolved, That the foregoing resolutions be appended to and signed with the constitution of Wisconsin, and submitted therewith to the people of this territory, and to the congress of the United States.

We, the undersigned, members of the convention to form a constitution for the state of Wisconsin, to be submitted to the people thereof for their ratification or rejection, do hereby certify that the foregoing is the constitution adopted by the convention.

In testimony whereof, we have hereunto set our hands, at Madison, the first day of February, A. D. 1848.

MORGAN L. MARTIN, *President of the Convention, and delegate from Brown county.*

THOMAS MCHUGH, *Secretary.*

G.W. FEATHERSTONHAUGH,	MORITZ SCHŒFFLER,
JAMES T. LEWIS,	SILAS STEADMAN,
DANIEL G. FENTON,	WILLIAM H. KENNEDY,
STODDARD JUDD,	ALBERT G. COLE,
CHARLES H. LARRABEE,	FREDERICK S. LOVELL,
SAMUEL W. LYMAN,	ANDREW B. JACKSON,
WILLIAM H. FOX,	STEPHEN A. DAVENPORT,
CHARLES M. NICHOLS,	SAMUEL R. MCCLELLAN,
WILLIAM A. WHEELER,	JAMES D. REYMERT,
WARREN CHASE,	THEODORE SECOR,
SAMUEL W. BEALL,	HORACE T. SANDERS,
ORSAMUS COLE,	ALMERIN M. CARTER,
GEORGE W. LAKIN,	JOSEPH COLLEY,
WILLIAM RICHARDSON,	PAUL CRANDALL,
JOHN H. ROUNTREE,	EZRA A. FOOT,

ALEXANDER D. RAMSEY,
JAMES BIGGS,
CHARLES BISHOP,
STEPHEN B. HOLLENBECK,
JOSEPH WARD,
CHARLES DUNN,
JOHN O'CONNOR,
ALLEN WARDEN,
MILO JONES,
THEODORE PRENTISS,
JONAS FOLTS,
ABRAM VANDERPOOL,
JOHN L. DORAN,
GARRETT M. FITZGERALD,
ALBERT FOWLER,
RUFUS KING,
CHARLES H. LARKIN,
LOUIS P. HARVEY,
EDWARD V. WHITON,
EXPERIENCE ESTABROOK,
GEORGE GALE,
JAMES HARRINGTON,
AUGUSTUS C. KINNIE,
EZRA MULFORD,
HOLLIS LATHAM,
SQUIRE S. CASE,
ALFRED L. CASTLEMAN,
PETER D. GIFFORD,
ELEAZER ROOT,
GEORGE SCAGEL,
JAMES FAGAN,
PATRICK PENTONY,
HARVEY G. TURNER,
HARRISON REED.

CONSTITUTIONAL AMENDMENTS.

Several amendments to the state constitution have been adopted by the legislature, and ratified by the people, at the time indicated below, and now constitute a part of the organic law of the state. They are as follows:

ARTICLE IV.

[Section 21, as amended by a vote of the people at the general election, November 5, 1867.]

SECTION 21. Each member of the legislature shall receive for his services three hundred and fifty dollars per annum, and ten cents for every mile he shall travel in going to and returning from the place of the meetings of the legislature, on the most usual route. In case of an extra session of the legislature, no additional compensation shall be allowed to any member thereof, either directly or indirectly.

ARTICLE V.

[Sections 5 and 9, as amended by a vote of the people at the general election, November 2, 1869.]

SECTION 5. The governor shall receive, during his continuance in office, an annual compensation of five thousand dollars, which shall be in full for all traveling or other expenses incident to his duties.

SECTION 9. The lieutenant governor shall receive, during his continuance in office, an annual compensation of one thousand dollars.

ARTICLE I.

[Section 8, as amended by a vote of the people at the general election, November 8, 1870.]

SECTION 8. No person shall be held to answer for a criminal offense without due process of law, and no person for the same offense shall be put twice in jeopardy of punishment, nor shall be compelled in any criminal case to be a witness against himself. All persons shall before conviction be bailable by sufficient sureties, except for capital offenses when the proof is evident or the presumption great; and the privilege of the writ of habeas corpus shall not be suspended unless when, in case of rebellion or invasion, the public safety may require it.

[Sections 31 and 32, as amended by a vote of the people at the general election, November 7, 1871.]

SECTION 31. The legislature is prohibited from enacting any special or private laws in the following cases: 1st. For changing the name of persons or constituting one person the heir-at-law of another. 2d. For laying out, opening or altering highways, except in cases of state roads extending into more than one county, and military roads to aid in the construction of which lands may be granted by congress. 3d. For authorizing persons to keep ferries across streams, at points wholly within this state. 4th. For authorizing the sale or mortgage of real or personal property of minors or others under disability. 5th. For locating or changing any county seat. 6th. For assessment or collection of taxes or for extending the time for the collection thereof. 7th. For granting corporate powers or privileges, except to cities. 8th. For authorizing the apportionment of any part of the school fund. 9th. For incorporating any town or village, or to amend the charter thereof.

SECTION 32. The legislature shall provide general laws for the transaction of any business that may be prohibited by section thirty-one of this article, and all such laws shall be uniform in their operation throughout the state.

ARTICLE XI.

[Section 3, as amended by a vote of the people at the general election, November 3, 1874.]

SECTION 3. It shall be the duty of the legislature, and they are hereby empowered to provide for the organization of cities and incorporated villages, and to restrict their power of taxation, assessment, borrowing money, contracting debts, and loaning their credit, so as to prevent abuses in assessments and taxation, and in contracting debts by such municipal corporations. No county, city, town, village, school district, or other municipal corporation, shall be allowed to become indebted in any manner or for any purpose, to any amount, including existing indebtedness, in the aggregate exceeding five per centum on the value of the taxable property therein, to be ascertained by the last assessment for state and county taxes, previous to the incurring of such indebtedness. Any county, city, town, village, school district or other municipal corporation, incurring any indebtedness, as aforesaid, shall, before or at the time of doing so, provide for the collection of a direct annual tax sufficient to pay the interest on such debt as it falls due, and also to pay and discharge the principal thereof, within twenty years from the time of contracting the same.

ARTICLE VII.

[Section 4, as amended by a vote of the people at the general election, November 6, 1877.]

SECTION 4. The supreme court shall consist of one chief justice and four associate justices, to be elected by the qualified electors of the state. The legislature shall, at its first session after the adoption of this amendment, provide by law for the election of two associate justices of said court, to hold their offices respectively for terms ending two and four years respectively, after the end of the term of the justice of the said court then last to expire. And thereafter the chief justices and associate justices of the said court shall be elected and hold their offices respectively for the term of ten years.

ARTICLE VIII.

[Section 2, as amended by a vote of the people at the general election, November 6, 1877.]

SECTION 2. No money shall be paid out of the treasury except in pursuance of an appropriation by law. No appropriation shall be made for the payment of any claim against the state, except claims of the United States, and judgments, unless filed within six years after the claim accrued.

APPENDIX.

VOTES ON THE CONSTITUTIONS.

Below are given the votes, by counties, on the question of ratifying the constitutions presented by the conventions of 1846 and 1848. The first, or rejected constitution, was voted upon at a special election, held on Tuesday, the 6th day of April, 1847; and the second, or ratified constitution, was voted upon by the people at a special election, held on Monday, the 13th of March, 1848:

Name.	Rejected Constitution.		Ratified Constitution.	
	For.	Against.	For.	Against.
Brown	235	120	218	6
Calumet	.....	.....	55	5
Columbia	66	354	513	31
Crawford	49	150	120	16
Dane	592	962	871	237
Dodge	803	974	872	282
Fond du Lac	624	627	747	183
Grant	532	1,898	1,137	428
Green	341	607	510	299
Iowa *	1,444	1,417	651	161
Jefferson	780	1,233	969	422
La Fayette	.....	.....	659	193
Manitowoc	96	45	122	5
Marquette	184	189	283	132
Milwaukee	1,678	1,996	2,008	203
Portage	164	209	208	58
Racine	1,363	2,474	1,073	1,231
Rock	987	1,977	1,243	512
Sauk	111	157	245	12
Sheboygan	160	374	431	110
St. Croix	65	61	15	224
Waukesha	1,246	1,825	1,108	798
Walworth	984	2,027	1,323	574
Washington	1,478	353	1,090	191
Winnebago	137	203	328	71
Total	14,119	20.232	16,799	6,384

* La Fayette and Richland counties are included in this return on the rejected constitution; and Richland is included in the return of the vote on the ratified constitution.

LIST OF MEMBERS OF THE CONVENTION

To form a Constitution for the State of Wisconsin, Convened at Madison, Monday, October 5, 1846.

Names of Members.	County.	Post Office.	Place of Nativity.	Age.	Boarding Place.	Profession.
David Agry	Brown	Green Bay	Maine	47	Mrs. Shackleford's	Lawyer.
Elihu L. Atwood	Jefferson	Lake Mills	Massachusetts	40	Mr. Van Bergen's	Farmer.
John M. Babcock	Dane	Dane	Vermont	47	Madison Hotel	Farmer.
Barnes Babcock	Waukesha	Muskego			Madison Hotel	Farmer.
Henry S. Baird	Brown	Green Bay	Ireland	46	Mrs. Shackleford's	Lawyer.
Charles M. Baker	Walworth	Geneva	City of New York	41	D. Holt's	Lawyer.
Hiram Barber	Dodge	Oak Grove	New York	46	D. Holt's	Farmer.
J. Allen Barber	Grant	Lancaster			American	Lawyer.
Samuel W. Beall	Marquette	Tychora	Maryland	37	Mrs. Shackleford's	Farmer.
William Bell	Walworth	Walworth	New York	40	D. Holt's	Farmer.
Stephen O. Bennett	Racine	Mt. Pleasant	New York	39	Madison Hotel	Farmer.
William Berry	Walworth	Rochester	Massachusetts	65	Lake House	Farmer.
Lorenzo Bevans	Grant	Platteville	New York	41	American	Lawyer.
Davis Bowen	Green	Decatur	Pennsylvania	52	Mr. Parker's	Farmer.
Joseph Bowker	Walworth	Delavan	New York	48	D. Holt's	Farmer.
John W. Boyd	Walworth	Geneva	New York	34	D. Holt's	Farmer.
P. A. R. Brace	Crawford	Prairie du Chien	New York	25	Rev. Mr. Miner's	Lawyer.
Charles E. Browne	Milwaukee	Milwaukee	New York	30	Mr. Wilson's	Farmer.
Hiram Brown	Green	Exeter	Connecticut	43	Mrs. Stark's	Farmer.
Charles Burchard	Waukesha	Prairieville	Massachusetts	36	National Hotel	Farmer.
Thomas B. Burnett	Grant	Patch Grove	Virginia		American	Lawyer.
A. Burnside	Iowa	W. O. Springs	Isle of Jamaica	56	Madison Hotel	Farmer.
Daniel R. Burt	Grant	Potosi	New York	42	National Hotel	Miller.
James B. Carter	Racine				Mr. Fairchild's	
James Chamberlain	Rock	Beloit	England	55	Madison Hotel	Carpenter.
Horace Chase	Milwaukee	Milwaukee	Vermont	35	Rev. Mr. Miner's	Farmer.
Warren Chase	Fond du Lac	Ceresco	New Hampshire	33	Mr. Skinner's	Farmer.
William H. Clark	Sauk	Sauk Prairie	New York	32	Madison Hotel	Lawyer.
Samuel T. Clothier	Jefferson	Cold Spring	Massachusetts			Farmer.
Edward Coumbe						
John Cooper	Milwaukee	Greenfield	New York	36	Mrs. Brigham's	Farmer.
Hopewell Coxe	Washington	Grafton	Kentucky	28	Esq. Seymour's	Lawyer.
John Crawford	Milwaukee	Milwaukee	Vermont	53	Madison Hotel	Farmer.
Thomas Cruson	Grant	Platteville	Kentucky	43	American	Farmer.

William M. Dennis	Dodge	Watertown	Rhode Island	36	D. Holt's	Farmer.
Nathaniel Dickinson	Racine	Burlington	Vermont	36	Madison Hotel	Carpenter.
J. Duane Doty	Winnebago	Neenah	New York	46	Mrs. Shackleford's	Farmer.
Jeremiah Drake	Columbia	Columbus	New York	62	Madison Hotel	Farmer.
Abel Dunning	Dane	Madison	New York	36	Home	Farmer.
Elisha W. Edgerton	Waukesha	Summit	Connecticut	32	American	Farmer.
Pitts Ellis	Waukesha	Prairieville	New York	37	Madison Hotel	Farmer.
Andrew E. Elmore	Waukesha	Mukwonago	New York	32	National Hotel	Merchant.
Garrett M. Fitzgerald	Milwaukee	Milwaukee	Ireland	37	Mrs. Stark's	Farmer.
Haynes French	Racine	Southport	Vermont	38	Madison Hotel	Farmer.
Benjamin Fuller	Dane	Rutland	Connecticut	47	Rev. Mr. Miner's	Farmer.
M. S. Gibson	Fond du Lac	Fond du Lac	New York	26	Mrs. Shackleford's	Merchant.
David Giddings	Sheboygan	Sheboygan Falls	Massachusetts	38	Mrs. Shackleford's	Farmer.
James Gilmore	Grant	Jamestown	Vermont	60	National Hotel	Farmer.
Lemuel Goodell	Calumet	Stockbridge	Connecticut	45	Mr. Skinner's	Farmer.
H. C. Goodrich	Portage	Plover Portage	New York	31	Madison Hotel	Lumberman.
Elihu B. Goodsell	Iowa	Highland	Vermont	38	National Hotel	Miner and Farmer.
Wallace W. Graham	Milwaukee	Milwaukee	Ireland	31	Madison Hotel	Lawyer.
Benjamin Granger	Dodge	Watertown	Vermont	28	D. Holt's	Farmer.
Neely Gray	Grant	Platteville	Pennsylvania	36	Mrs. Stark's	Millwright.
William C. Green	Green	Monroe	New York	44	Mr. Parker's	Farmer.
John Hackett	Rock	Beloit				Lawyer.
George B. Hall	Rock	Milton	New York	38	Madison Hotel	Farmer.
James H. Hall	Racine	Paris	Vermont	33	Madison Hotel	Farmer.
Sanford P. Hammond	Rock	Janesville	Connecticut	38	Madison Hotel	Farmer.
Daniel Harkin	Racine	Southport	Ireland	47	Madison Hotel	Farmer.
M. F. Hawes	Walworth					Farmer.
James B. Hayes	La Pointe	La Pointe	Pennsylvania	25	American	Farmer.
Lorenzo Hazen	Fond du Lac	Fond du Lac	New York	29	Mr. Skinner's	Farmer.
William R. Hesk	Waukesha	Menomonee Falls	England	51	Madison Hotel	Farmer.
Franklin Z. Hicks	Grant	Fairplay	New York	28	American	Miner.
La Fayette Hill	Columbia	Fort Winnebago	Vermont	33	Madison Hotel	Farmer.
William Holcombe	St. Croix	Falls of St. Croix	New Jersey	42	National Hotel	Lumberman.
Francis Huebschmann	Milwaukee	Milwaukee	Germany	29	Esq. Seymour's	Physician.
Benjamin Hunkins	Waukesha	New Berlin	Vermont	36	Mr. Fairchild's	Farmer.
George Hyer	Jefferson	Aztalan	New York	27	Mr. Van Bergen's	Farmer.
Nathaniel F. Hyer	Dane	Dunkirk	Vermont	39	D. Holt's	Farmer.
Israel Inman, Jr	Rock	Janesville	Pennsylvania	31	American	Farmer.
Thomas James	Iowa	Shullsburgh	Kentucky	34	Madison Hotel	Miner.
E. H. Janssen	Washington	Mequon	Germany	30	Esq. Seymour's	Farmer
Thomas Jenkins	Iowa	Dodgeville	South Carolina	45	National Hotel	Miner.
Stoddard Judd	Dodge	Waushara	Connecticut	49	D. Holt's	Physician.
Chauncey Kellogg	Racine	Sylvania	Connecticut	56	Mrs. Brigham's	Farmer.
C. Julius Kern	Washington	Grafton	Prussia	41	Esq. Seymour's	Farmer.

LIST OF MEMBERS OF THE CONVENTION — continued.

NAMES OF MEMBERS.	COUNTY.	POST OFFICE.	PLACE OF NATIVITY.	AGE.	BOARDING PLACE.	PROFESSION.
Asa Kinney	Milwaukee	Oak Creek	New York	36	Mrs. Brigham's	Farmer.
Joseph Kinnie	Rock	Janesville				
Frederick S. Lovell	Racine	Southport	Vermont	31	American	Lawyer.
William I. Madden	Iowa	Elk Grove			American	Farmer.
James Magone	Milwaukee	Milwaukee	New York	38	Mr. Fairchild's	Ship builder.
John H. Manahan	Dodge	Beaver Dam	New Jersey	32	J. G. Knapp's	Merchant.
Moses Meeker	Iowa	Mineral Point	New Jersey	56	National Hotel	Physician.
David L. Mills	Rock	Fulton	New York	30	Madison Hotel	Lawyer.
James M. Moore	Waukesha	Brookfield	New York	31	Mrs. Stark's	Farmer.
David Noggle	Rock	Beloit	Pennsylvania	36	American	Lawyer.
Bostwick O'Connor	Washington	Port Washington	New York	36	Mr. Fairchild's	Merchant.
Horace D. Patch	Dodge	Beaver Dam	New York	32	J. G. Knapp's	Farmer.
Daniel M. Parkinson	Iowa	Mineral Point	Tennessee	56	Madison Hotel	Farmer.
Rufus Parks	Waukesha	Summit	Massachusetts	48	American	Farmer.
Chatfield H. Parsons	Racine	Yorkville	New York	39	Madison Hotel	Farmer.
Noah Phelps	Green	Monroe	New York		Madison Hotel	Farmer.
Joseph Pierce	Rock	Summerville	Vermont	51	Madison Hotel	Farmer.
Theodore Prentiss	Jefferson	Watertown	Vermont	27	Mrs. Shackleford's	Lawyer.
Alexander W. Randall	Waukesha	Prairieville	New York	27	Mr. Fairchild's	Lawyer.
Aaron Rankin	Jefferson	Fort Atkinson	New York	34	Mr. Van Bergen's	Farmer.
George Reed	Waukesha	Summit	Massachusetts	36	American	Lawyer.
Patrick Rogan	Jefferson	Watertown	Ireland	34	Mr. Van Bergen's	Postmaster.
Edward G. Ryan	Racine	Racine	Ireland	35	American	Lawyer.
Lyman H. Seaver	Walworth	Darien	New York	38	D. Holt's	Farmer.
A. Hyatt Smith	Rock	Janesville	New York		American	Lawyer.
George B. Smith	Dane	Madison	New York	23	Home	Lawyer.
Sewell Smith	Walworth	East Troy	Vermont	44	National Hotel	Farmer.
John Y. Smith	Dane	Madison	New York	32	Home	Builder.
William R. Smith	Iowa	Mineral Point	Pennsylvania	59	National Hotel	Lawyer.
A. D. Soper	Manitowoc	Manitowoc	Vermont	36	J. G. Knapp's	Mechanic.
Elijah Steele	Racine	Southport	New York	28	Mr. Fairchild's	Lawyer.
Thomas S. Stockwell	Racine					
Marshall M. Strong	Racine	Racine	Massachusetts		American	Lawyer.
Moses M. Strong	Iowa	Mineral Point	Vermont	36	American	Lawyer.
Patrick Toland	Washington	Toland's Prairie	Ireland	45	Esq. Seymour's	Farmer.
Josiah Topping	Walworth	Sharon	New York	49	D. Holt's	Farmer.

Peter H. Turner	Jefferson	Palmyra	New York	33	National Hotel	Merchant.
John H. Tweedy	Milwaukee	Milwaukee	New Hampshire	32	American	Lawyer.
Don A. J. Upham (President)	Milwaukee	Milwaukee	Vermont	38	National Hotel	Lawyer.
James R. Vineyard	Grant	Platteville	Kentucky	42	American	Miner.
Garrett Vliet	Milwaukee	Milwaukee	New Jersey	57	Mrs. Brigham's	Farmer.
Salmous Wakeley	Walworth	Whitewater	Connecticut	52	Rev. Mr. Miner's	Farmer.
Joshua White	Iowa	White Oak Springs	Virginia	32	Madison Hotel	Merchant.
Ninian E. Whitesides	Iowa	Belmont	Illinois	27	American	Miner.
Victor M. Willard	Racine	Rochester	New York	33	Mrs. Brigham's	Farmer.
J. F. Wilson	Washington	Rubicon	Vermont	46	Esq. Seymour's	Farmer.

LIST OF OFFICERS OF THE CONVENTION.

La Fayette Kellogg, Secretary.	Dane	Madison	New York	28		Cl'k Supreme Court
ASSISTANT SECRETARIES.						
Hiram Taylor	Rock	Janesville	New York	33	Madison Hotel	Lawyer.
Thomas McHugh	Walworth	Delavan	Ireland	24	Rev. S. McHugh's	Lawyer.
SERGEANT-AT-ARMS.						
John Starkweather	Jefferson	Aztalan	Vermont	31	Mr. Van Bergen's	Carpenter.
R. T. Davis, Fireman	Dane	Madison	Pennsylvania	31		Carpenter.
DOOR-KEEPERS.						
Edward O. Hays	Iowa	Pedler's Creek	Pennsylvania	29	Madison Hotel	Miner.
William M. Kirkpatrick	Grant	Platteville	Georgia	40	Mrs. Stark's	Farmer.
MESSENGERS.						
Henry Brown	Milwaukee	Milwaukee	New York	24	Mrs. Stark's	Farmer.
Henry P. Starks	Dane	Madison	New York	16	Mrs. Stark's	

LIST OF MEMBERS OF THE CONVENTION

To form a Constitution for the State of Wisconsin, Convened at Madison on the 15th day of December, 1847.

Names of Members.	County.	Post Office.	Place of Nativity.	Age.	Boarding Place.	Profession.
Beall, Samuel W	Fond du Lac.	Taychedah	Maryland	48	Mrs. Shackleford's	Lawyer.
Bishop, Charles	Iowa	Dodgeville	New York	28	Mr. Ogden's	Lawyer.
Biggs, James	Green	Farmer's Grove	Northwest Territory	48	American Hotel	Farmer.
Brownell, George W	St. Croix	Falls St. Croix	Connecticut	37	American Hotel	Geologist.
Carter, Almerin M	Rock	Johnstown	New York	33	Madison Hotel	Farmer.
Case, Squire S	Waukesha	Waukesha	New York	46	Madison Hotel	Farmer.
Castleman, Alfred L	Waukesha	Delafield	Kentucky	39	American Hotel	Constitution maker.
Cole, Albert G	Racine	Burlington	New York	28	Mrs. Shackleford's	Lawyer.
Cole, Orsamus	Grant	Potosi	Madison county, N. Y	27	American Hotel	Lawyer.
Colley, Joseph	Rock	Beloit	New Hampshire	65	Mrs. Brigham's	Farmer.
Cotton, E. P	Waukesha	Oconomowoc	New York	35	American Hotel	Miller.
Crandall, Paul	Rock	Whitewater	Connecticut	45	Mrs. Brigham's	Farmer.
Chase, Warren	Fond du Lac	Ceresco	New Hampshire	35	Mr. Emmons'	Farmer.
Davenport, S. A	Racine	Brighton	New York	40	David Holt's	Farmer.
Doran, John L	Milwaukee	Milwaukee	Ireland	32	American Hotel	Lawyer.
Dunn, Charles	La Fayette	Belmont	Kentucky	47	American Hotel	Lawyer.
Estabrook, Experience	Walworth	Geneva	New Hampshire	34	Mrs. Shackleford's	Lawyer.
Fagan James	Washington	Grafton	Ireland	35	Madison Hotel	Farmer.
Featherstonhaugh, G. W	Calumet	Pequot	Albany, N. Y	33	National Hotel	Miller.
Fenton, Daniel G	Crawford, etc.	Prairie du Chien	New Jersey	37	American Hotel	Lawyer.
Fitzgerald, Garrett M	Milwaukee	Milwaukee	Ireland	38	Mrs. Stark's	Farmer.
Folts, Jonas	Jefferson	Jefferson	New York	39	Mr. Ogden's	Farmer.
Foot, Ezra A	Rock	Bachelor's Grove	Connecticut	38	Mrs. Brigham's	Farmer.
Fowler, Albert	Milwaukee	Wauwatosa	Massachusetts	45	Mr. Emmons'	Farmer.
Fox, William H	Dane	Fitchburg	Ireland	34	W. N. Seymour's	Physician.
Gale, George	Walworth	Elkhorn	Vermont	31	National Hotel	Lawyer.
Gifford, Peter D	Waukesha	Waterville	New York	34	Lake House	Merchant.
Harrington, James	Walworth	Elkhorn	New York	37	National Hotel	Carpenter.
Harvey, Louis P	Rock	Clinton	Connecticut	27	Mrs. Brigham's	Merchant.
Hollenbeck, Stephen B	Iowa	Highland	Vermont	47	Madison Hotel	Farmer.
Jackson, Andrew B	Racine	Bristol	Connecticut	33	David Holt's	Farmer.
Jones, Milo	Jefferson	Fort Atkinson	Vermont	39	Mr. Ogden's	Farmer.
Judd, Stoddard	Dodge	Waushara	Connecticut	50	Mrs. Shackleford's	Physician.
Kennedy, William H	Portage, etc	Plover Portage	Pennsylvania	28	W. N. Seymour's	Lumberman.
Kilbourn, Byron	Milwaukee	Milwaukee	Connecticut	46	American Hotel	Civil Engineer.
King, Rufus	Milwaukee	Milwaukee	New York	31	American Hotel	Editor.
Kinnie, Augustus C	Walworth	Sugar Creek	New York	37	National Hotel	Farmer.

Lakin, George W.	Grant	Platteville	Maine	30	American Hotel	Lawyer.
Larkin, Charles H.	Milwaukee	Milwaukee	Connecticut	37	American Hotel	Farmer.
Larrabee, Charles H.	Dodge	Horicon	New York	28	A. L. Collins'	Lawyer.
Latham, Hollis	Walworth	Elkhorn	Vermont	35	National Hotel	Farmer.
Lewis, James T	Columbia	Columbus	New York	28	Madison Hotel	Lawyer.
Lovell, Frederick S	Racine	Southport	Vermont	33	American Hotel	Lawyer.
Lyman, Samuel W	Dodge	Hustis' Ford	Massachusetts	50	P. H. Van Bergen	Farmer.
Martin, Morgan L. (President).	Brown	Green Bay	New York	42	American Hotel	Lawyer.
McClellan, Samuel R	Racine	Lakeville	Massachusetts	41	David Holt's	Physician & farmer.
McDowell, William	Green	Monroe	Virginia	42	American Hotel	Farmer.
Mulford, Ezra	Walworth	Walworth	New York	43	Mrs. Shackleford's	Physician & farmer.
Nichols, Charles M.	Dane	Cottage Grove	New York	47	W. N. Seymour's	Farmer.
O'Connor, John	La Fayette	Shullsburg	Pennsylvania	33	American Hotel	Merchant.
Pentony, Patrick	Washington	Mequon	Ireland	35	Madison Hotel	Farmer.
Prentiss, Theodore	Jefferson	Watertown	Vermont	28	Mrs. Shackleford's	Lawyer.
Ramsey, Alexander D	Grant	Casville	Kentucky	44	W. N. Seymour's	Farmer.
Reymert, James D	Racine	Norway	Norway	26	Mrs. Shackleford's	Editor.
Reed, Harrison	Marquette, etc.	Neenah	Massachusetts	34	David Holt's	Farmer.
Richardson, William	Grant	Jamestown	Ohio	40	W. N. Seymour's	Farmer.
Root, Eleazer	Waukesha	Waukesha	New York	45	American Hotel	Lawyer.
Rountree, John H.	Grant	Platteville	Kentucky	42	American Hotel	Farmer.
Sanders, H. T	Racine	Racine	New York	27	Mrs. Shackleford's	Lawyer.
Scagel, George	Waukesha	New Berlin	Vermont	49	Madison Hotel	Farmer.
Schœffler, Moritz	Milwaukee	Milwaukee	Bavaria	34	David Holt's	Printer
Secor, Theodore	Racine	Mount Pleasant	New York	32	Seth Van Bergen's	Farmer.
Steadman, Silas	Sheboygan	Sheboyan Falls	Massachusetts	63	American Hotel	Farmer.
Turner, Harvey G.	Washington	Grafton	New York	25	David Holt's	Lawyer.
Vanderpool, Abram	Jefferson	Waterloo	New York	41	Mr. Ogden's	Farmer.
Ward, Joseph	Iowa	Dodgeville	New York	43	Mr. Ogden's	Merchant.
Wheeler, William A	Dane	Verona	Connecticut	33	W. N. Seymour's	Farmer.
Whiton, Edward V	Rock	Janesville	Massachusetts	42	Mrs. Brigham's	Lawyer.
Warden, Allen	La Fayette	Wiota	New York	26	National Hotel	Merchant.

OFFICERS OF THE CONVENTION.

McHugh, Thomas, Secretary	Walworth	Delavan	Ireland	26	Madison Hotel	Lawyer.
Ream, R. L., Asst. Secretary.	Dane	Madison	Pennsylvania	36	At home	Clerk.
Hugunin, E. R., Serg't-at-Arms	Racine	Southport	New York	34	Mrs. Shackleford's	Farmer.
Randall, D., Doorkeeper	Fond du Lac	Fond du Lac	New York	23	Mr. Ogden's	Printer.
Mott, Wm. M., Fireman	Jefferson	Palmyra	New York	42	Lake House	Farmer.
Bishop, M. } Messengers	Iowa	Dodgeville	England	37	Madison Hotel	Miner.
Tipple, H. } Messengers	Dane	Rutland	New York	25	W. N. Seymour's	Farmer.

CENSUS TABLE,

Embracing every census of Wisconsin by counties that has been taken either under the authority of the United States, the territory, or the state.

Counties.	1836.	1838.	1840	1842.	1846.	1847.	1850.	1855.	1860.	1865.	1870.	1875.	1880.
Adams	.....	.....	.....	.....	.....	.....	187	6,868	6,492	5,698	6,601	6,[illegible]02	6,809
Ashland	.....	.....	.....	.....	.....	.....	.....	.....	515	256	221	750	1,549
Barron	.....	.....	.....	.....	.....	.....	.....	.....	13	.....	538	3,737	7,150
Bayfield	.....	.....	.....	.....	.....	.....	.....	.....	353	269	344	1,032	546
Brown	2,706	3,049	2,107	2,146	2,662	2,914	6,215	6,699	11,795	15,282	25,168	35,373	34,035
Buffalo	.....	.....	.....	.....	.....	.....	.....	832	3,864	6,776	11,123	14,219	15,774
Burnett	.....	.....	.....	.....	.....	.....	.....	.....	12	171	706	1,456	3,143
Calumet	.....	.....	275	407	833	1,060	1,743	3,631	7,895	8,638	12,335	15,065	16,641
Chippewa	.....	.....	.....	.....	.....	.....	615	838	1,895	3,278	8,311	13,995	15,987
Clark	.....	.....	.....	.....	.....	.....	.....	242	789	1,011	3,459	7,282	10,715
Columbia	.....	.....	.....	.....	1,966	3,791	9,565	17,965	24,411	26,112	28,802	28,803	28,290
Crawford	1,220	850	1,502	1,449	1,441	1,409	2,498	3,343	8,068	11,011	13,075	15,035	15,688
Dane	.....	172	334	776	8,289	10,945	16,639	37,714	43,922	50,192	53,096	52,798	53,352
Dodge	.....	18	67	149	7,787	14,906	19,138	34,540	42,818	46,841	47,035	48,394	45,809
Door	.....	.....	.....	.....	.....	.....	.....	739	2,948	3,098	4,919	8,020	11,175
Douglas	.....	.....	.....	.....	.....	.....	.....	385	812	532	1,122	741	654
Dunn	.....	.....	.....	.....	.....	.....	.....	1,796	2,704	5,170	9,488	13,427	16,487
Eau Claire	.....	.....	.....	.....	.....	.....	.....	.....	3 162	5,981	10,769	15,991	19,618
Fond du Lac	.....	.....	139	295	3,543	7,459	14,510	24,784	34,154	42,029	46.273	50.241	46,841
Grant	.....	2,763	3,926	5,937	12,034	11,720	16,198	23,170	31,189	33 618	37,979	39,086	37,495
Green	.....	494	933	1,594	4,758	6,487	8,566	14,827	19,808	20,646	23,611	22,027	21,040
Green Lake	.....	.....	.....	.....	.....	.....	.....	.....	12.663	12,596	13,195	15,274	14,259
Iowa	3,218	5,234	3,978	5,029	14,906	7,963	9,522	15,205	18,967	20,647	24,544	24,133	23,575
Jackson	.....	.....	.....	.....	.....	.....	.....	1,098	4,170	5,631	7,687	11,339	13,231
Jefferson	.....	468	914	1,638	8,680	11,464	15,317	26,869	30,438	30,597	34,050	34,908	29,615
Juneau	.....	.....	.....	.....	.....	.....	.....	.....	8,770	10,013	12,396	15,300	17,129
Kenosha	.....	.....	.....	.....	.....	.....	10,734	12,307	13,900	12,176	13,177	13,907	13,768
Kewaunee	.....	.....	.....	.....	.....	.....	.....	1,109	5,530	7,039	10,281	14,405	15,685
La Crosse	.....	.....	.....	.....	.....	.....	.....	3,904	12,186	14,834	20,245	23 945	27,139
La Fayette	.....	.....	.....	.....	.....	9,335	11,531	16,064	18,134	20,358	22,667	22,169	21,642
La Pointe	.....	.....	.....	.....	.....	867	.....	.....	.....	.....	.....	.....	.....
Lincoln	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	893	2,008

Manitowoc			235	263	629	1,285	3,702	13,018	22,416	26,762	33,369	38,456	37,356
Marathon							489	447	2,892	3,678	5,885	10,111	17,126
Marinette													8,911
Marquette			18	59	989	2,261	508	1,427	8,233	7,327	8,057	8,597	8,990
Milwaukee	2,893	3,131	5,605	9,565	15,925	22,791	31,077	46,265	62,518	72,320	89,936	122,927	138,706
Monroe								2,407	8,410	11,652	16,552	21,026	21,483
Oconto								1,501	3,592	4,858	8,322	13,812	9,877
Outagamie								4,914	9,587	11,852	18,440	25,558	28,875
Ozaukee								12,973	15,682	14,882	15,579	16,545	15,502
Pepin									2,392	3,002	4,659	5,816	6,188
Pierce								1,720	4,672	6,324	10,003	15,101	17,685
Polk								547	1,400	1,677	3,422	6,736	10,095
Portage			1,623	646	931	1,504	1,250	5,151	7,507	8,145	10,640	14,856	17,801
Price													800
Racine		2,054	3,475	6,318	17,983	19,539	14,973	20,673	21,360	22,884	26,742	28,702	30,973
Richland							963	5,584	9,732	12,186	15,736	17,353	18,180
Rock			1,701	2,867	12,405	14,729	20,750	31,364	36,690	36,033	39,030	39,039	38,866
St. Croix					1,419	1,674	624	2,040	5,392	7,255	11,039	14,956	18,838
Sauk			102	392	1,003	2,178	4,371	13,614	18,963	20,154	23,868	26,932	28,701
Shawano								254	829	1,369	3,165	6,635	10,173
Sheboygan			133	221	1,637	5,580	8,310	20,301	26,875	27,671	31,773	31,021	34,221
Taylor												849	2,459
Trempealeau								493	2,569	5,199	10,728	14,992	17,201
Vernon								4,823	11,007	13,644	18,673	21,124	23,057
Walworth		1,010	2,611	4,618	13,439	15,039	17,862	22,662	26,496	25,773	25,992	26,259	26,195
Washington		64	343	965	7,473	15,447	19,485	18,397	23,622	24,019	23,905	23,862	25,422
Waukesha					13,793	15,866	19,258	24,012	26,831	27,029	28,258	11,523	28,986
Waupaca								4,437	8,851	11,208	15,533	19,646	20,856
Waushara								5,541	8,770	9,002	11,379	29,425	12,687
Winnebago			135	143	732	2,747	10,167	17,439	23,770	29,767	37,325	45,033	43,041
Wood									2,415	2,965	3,911	6,048	9,024
Total	11,683	18,139	30,945	44,478	155,277	210,546	305,391	552,109	775,881	868,325	1,054,670	1,236,729	1,315,464

NOTE. — In 1830, the population of Wisconsin Territory was 3,245, and there were but two counties, Brown and Crawford. The census of 1880 is in advance of official publication, but it has been obtained from reliable sources, and is believed to be substantially correct.

THE EARLY HISTORY OF WISCONSIN.

The following address was delivered before the Wisconsin Pioneer Association and the surviving members of the Constitutional Conventions of 1846 and 1847–8, at Madison, July 16, 1879, by the late Hon. GEORGE B. SMITH, a member of the first convention:

Wisconsin has had an eventful history. It is claimed that as early as 1634, only fourteen years later than the landing of the Pilgrims on Plymouth Rock, and long before the settlement of WILLIAM PENN at Philadelphia, JOHN NICOLET, a daring Frenchman, had visited what is now Green Bay, with a view to smoke the pipe of peace with the Winnebagoes. It is certain that as early as 1665, the Jesuit missionaries commenced at La Pointe, on Lake Superior, their work of Christianizing the Indians. It is also certain that, in 1669, their missionary labors began in the vicinity of Green Bay. Wisconsin was also the great highway over which the first explorers passed, in search of the Mississippi river and the unknown sea. In the year 1673, LOUIS JOLIET, with Father MARQUETTE, passed up the Fox river from Green Bay, and down the Wisconsin river, in search of the Father of Waters. On the 17th of June of that year, they discovered it, at the mouth of the Wisconsin river, near where now stands Prairie du Chien.

These men, especially Father MARQUETTE, and others came to this wild and lonely region mainly to bring religion and civilization to the Indians; incidentally they came on a voyage of discovery. There was another, and in many respects a greater than these, who came to explore in the interest of conquest and commerce. I refer to LA SALLE, who, as early as 1680, with his little party and his faithful and famous friend, TONTY, discovered the Mississippi river still further south, in what was then called the Illinois country, now the state of Illinois. Afterwards, he followed the river to the Gulf of Mexico. This man of wonderful enterprise, wondrous foresight and iron energy, even then dreamed that the valley of the Mississippi might, in his time, become what it is now — the garden and glory of the world. Still later, and all the way down to the time when it was finally owned and occupied by the United States, Wisconsin continued to have a remarkable and eventful history, until it

was finally organized into a separate territory in 1836, when the people then here were invested with the great American boon of self-government.

From 1671 to 1763, a period of ninety-two years, Wisconsin was under the government of France; from 1763 to 1796, a period of thirty-three years, it was governed by Great Britain, although the latter, in 1783, had ceded her claim to the United States. From 1796 to 1800, it was under the government of the United States as part of the territory northwest of the river Ohio; for nine years, from 1800 to 1809, it was under the territorial government of Indiana; from 1809 to 1818, it was governed by the territory of Illinois, and from 1818 to 1836, it was under the territorial government of Michigan. Thus it will be seen that for a period of one hundred and sixty-five years, the territory which now comprises this magnificent state was the mere foot-ball of nations, states and territories.

Since Wisconsin came under the government of Illinois territory, it has had a somewhat curious, as it had before a remarkable, history. In the year 1784, on the first of March of that year, and in less than one hundred days after the evacuation of this country by the British army, THOMAS JEFFERSON reported to the continental congress, with the concurrence of his committee (a majority being from the southern states), his celebrated ordinance for the government of all the territory ceded or to be ceded by individual states to the United States, . . . section five of which provided: "That after the year 1800 of the Christian era, there should be neither slavery nor involuntary servitude in any of the said states, otherwise than in the punishment of crimes, whereof the party shall have been duly convicted to have been personally guilty." . . . Sixteen members voted for and seven against this ordinance, on a test vote, but the requisite majority of states not voting for the ordinance, it failed. It will be observed that this proposed ordinance embraced all of the states thereafter forever to be admitted into what was then denominated the confederacy. Afterwards, on the 13th of July, 1787, two months before the adoption of the constitution, and something like a year before its ratification by nine states (the requisite number to make it the constitution of the United States), that celebrated ordinance "for the government of the territory of the United States northwest of the river Ohio," introduced by NATHAN DANE, of Massachusetts, was passed by the continental congress. Article six of this ordinance is in substance exactly like article five in the one introduced by Mr. JEFFERSON, which I have already quoted, with a proviso in relation to persons owing service who should escape from any of the original states. By this ordinance, all officers of the territories had to be appointed by congress. After the adoption of the constitution of the United States, and on the 17th of August, 1789, congress amended this ordinance by providing that all such officers should be appointed by the president of the

United States; in all other respects the ordinance of 1787 stood as the organic and paramount law for the government of the territory of the United States northwest of the river Ohio.

This ordinance of 1787, so familiar to all of the early settlers of Wisconsin, was the great charter of our rights and the limit of our powers, as it had been for all the territories which had, before that time, been admitted into the Union out of the northwest territory, or of the territory northwest of the river Ohio. Except the constitution of the United States, this ordinance was unquestionably the grandest and most perfect written charter for the protection of the rights and liberties of a people that had ever been devised. In some respects it was more explicit and more perfect than the constitution itself. In view of subsequent events, it is instructive to observe the wisdom and forethought of the following provision of this ordinance: "Article 4. The said territory and the states which may be formed therein shall forever remain a part of the confederacy of the United States of America, subject to the articles of confederation and such alterations therein as shall be constitutionally made, and to all the acts and ordinances of the United States in congress assembled conformable thereto." If this or a like expression had been inserted into the constitution of the United States, we should never have heard of the right of constitutional and legal secession. Such a doctrine could never have found advocates or followers, and it may be, nay, it is almost certain, that it would have saved the people of this country from that cruel and awful war, with all its terrible consequences, which must abide with our people for generations to come, possibly forever.

It is indisputable that many of the American statesmen, north and south, did believe in the right of secession, and the question was considerably discussed even at an early day; finally, and unhappily, too, many were willing to peril all in support of this opinion. Had this plain and emphatic declaration been adopted, "all the states that adopt and accept this constitution, shall forever remain a part of the United States subject to this constitution," none would have been found bold enough and bad enough to propose the dissolution and destruction of the Union; for that would have been treason without a parallel, and without even the poor excuse of an honest conviction.

But I have wandered somewhat from my subject, and from the plan of this address. I now return, hoping that my digression may not, after all, be unprofitable. The ordinance of 1787, article five, provided that there should be formed in the said territory not less than three nor more than five states, . . . with this proviso: "That if congress shall hereafter find it expedient, they shall have authority to form one or two states in that part of said territory which lies north of an east and west line drawn through the southerly bend or extreme of Lake Michigan." Thus, the north line of the territory of Illinois, and the south boundary

of Michigan, and what is now Wisconsin, was fixed on a line "drawn through the southerly bend or extreme of Lake Michigan." By the express terms of the ordinance, it was "forever to remain unalterable, unless by common consent." Such continued to be the north line of the territory of Illinois until 1818, when that territory applied for admission into the Union. She had formed a state constitution, and applied to congress for admission into the Union on an equal footing with the original states. Neither the legislature of the territory of Illinois, nor the convention that framed the constitution, had suggested any change in the boundaries of the state. The original bill, introduced into congress by Judge POPE, the delegate from Illinois, did not provide for any change of boundary; but, while the bill was pending, Judge POPE, solely on his own responsibility, proposed an amendment to it as follows: "By striking out the lines defining the boundaries of the new state, and inserting the following: 'Beginning at the mouth of the Wabash river; thence up the same, and with the line of Indiana to the northwest corner of said state to the middle of Lake Michigan; thence north along the middle of said lake to north latitude forty-two degrees, thirty minutes; thence west to the middle of the Mississippi river, to its confluence with the Ohio river; and thence up the latter river along the northwestern shore to the beginning.'" This amendment was adopted without division and without opposition, and then the mischief was done. (See second volume Annals of Congress for the year 1818, page 1677.)

Congress, in thus establishing the boundaries of that state, extended its north line nearly sixty miles north of the line established by the ordinance of 1787, and this was done without the consent of the inhabitants then resident within what afterwards became Wisconsin; indeed, it was done at a time when there were but few here to object, and it was done in such haste that these few had no opportunity to object. The part thus taken from what would otherwise have been a part of the present Wisconsin, embraces the fourteen northern counties of Illinois, the richest and most popular part of that state, including, of course, the city of Chicago.

The ordinance of 1787, although made unalterable, was changed in this particular, but time and circumstance have sanctioned the change, and it is now, indeed, unalterable. Gov. JAMES D. DOTY, who was always mindful of the honor and interests of Wisconsin, did, as soon as he had an opportunity to do so, manfully and ably protest against this manifest injustice and wrong. In the first Constitutional Convention for this state, Gov. DOTY brought this subject to the attention of the convention in a very able report, reviewing all the circumstances connected with it, and finally proposed that the whole subject be referred to the supreme court of the United States for a final adjudication and adjustment. (See his report, and also a very able and interesting report on the same sub-

ject made by the Hon. D. A. J. UPHAM to the territorial legislature; journal of first Constitutional Convention, from page 136 to 146.)

I have referred to this subject solely for the purpose of calling your attention to the circumstances and the reasons which induced this change of boundary. It was done sixty-one years ago, and only thirty-one years after the adoption of the constitution of the United States, at a period when, now, it would hardly be thought that there was any threatened danger of a dissolution of the Union; and yet we see that the solemn compact of the ordinance of 1787 was disregarded, and what is more, Wisconsin deprived of a very important and immensely valuable part of its territory, in order that Illinois, just then to be admitted as a state, might be more firmly bound to the Union by identifying her, through the great lakes, with the "Eastern States and Northern Interests." Wisconsin was thus early sacrificed and dismembered in the interests of the Union and of peace.

Now for the reasons assigned. Mr. POPE said, in support of his amendment (see same page, 1677): "The object of this amendment was to gain for the proposed state a coast on Lake Michigan. This would afford additional security to the perpetuity of the Union, inasmuch as the states would thereby be connected with the states of Indiana, Ohio, Pennsylvania and New York, through the lakes." . . . This is but a meagre report of what was said by Judge POPE in advocating his amendment, but the point is plainly brought out in the little we have here reported. Gov. FORD, in his admirable history of Illinois, in speaking of the subject, says at page twenty-two: "But there were other and more weighty reasons for the change of this boundary, which were ably and successfully urged by Judge POPE upon the attention of congress. It was known, he said, that in all confederate republics there was danger of dissolution. The great valley of the Mississippi was filling up with a numerous people; the original confederacy had already advanced westward a thousand miles across the chain of mountains skirting the Atlantic; the adjoining states in the western country were watered by rivers running from every point of the compass, converging to a focus at the confluence of the Ohio and Mississippi, at Cairo. The waters of the Ohio, Cumberland and Tennessee rivers carried much of the commerce of Alabama and Tennessee, all of Kentucky, a considerable portion of that of Virginia, Pennsylvania and New York, and the greater portion of the commerce of Ohio and Indiana, down by the point at Cairo (situate in the extreme south of Illinois), where it would be met by the commerce to and from the lower Mississippi, with all the states and territories to be formed in the immense country on the Missouri, and extending to the head waters of the Mississippi. Illinois, he said, had a coast of one hundred and fifty miles on the Ohio river, and nearly as much on the Wabash; the Mississippi was its western boundary for the whole length of the state; the commerce of all the western country was to pass by its shores, and would

necessarily come to a focus at the mouth of the Ohio at a point within the state and within the control of Illinois, if, the Union being dissolved, she should see proper to control it." Mr. FORD says: "It was foreseen that none of the great states in the west could venture to aid in dissolving the Union, without cultivating a state situated in such a central and commanding position." Again, he says: "Illinois was certain to be a great state with any boundaries which the government could give. Its great extent of territory, its unrivaled fertility of soil, . . . together with its commanding position, would in course of time give the new state a very controlling influence with her sister states upon the western rivers, either in sustaining the Federal Union as it is, or in dissolving it and establishing new governments. If left entirely upon the waters of the great rivers, it was plain that in case of threatened disruption, the interest of the new state would be to join a southern and western confederacy. But if a large portion of it could be made dependent upon the commerce and navigation of the great northern lakes, connected as they were with the eastern states, a rival interest would be created to check the wish for a western and southern confederacy." "It thereupon," he says, "became the duty of the national government not only to make Illinois strong, but to raise an interest inclining and binding her to the eastern and northern portions of the Union." (See, also, Davidson & Stuve's History of Illinois, from 1673 to 1873, pages 295 and 296

We have it here plainly avowed that Illinois ran so far into the south, and was so situated on the great rivers running in that direction, that something must be done to "balance her interest and incline her to the north." For this reason and for this purpose, the congress of the United States, in utter disregard of the solemn compact of the ordinance of 1787, gave to Illinois a port on Lake Michigan and a large strip of splendid territory which justly belongs to Wisconsin, and thus, it may be said, she was saved to the north and to the Union. It may be that this country has been benefited and prospered by this act of bad faith, not to say robbery. If so, Wisconsin has made the sacrifice, and she is fairly entitled to the honor of all the good that followed the act.

What Wisconsin would have been to-day, had her original boundary remained, is a question not profitable now to speculate upon, as it is by no means pleasant to reflect on. But this is not all. Wisconsin was destined to suffer and sacrifice still more in the interest of peace, if not in the interest of the Union. After Michigan and Ohio had quarreled and fairly come to blows over their boundaries, the matter was finally settled and the parties appeased, if not satisfied, by congress giving to Michigan, as a compensation in part for the strip of her territory given to Ohio, that portion of country on Lake Superior between the straits of Mackinaw and Montreal river, directly north of us, and which by every consideration justly belongs to the state of Wisconsin. It has no connection whatever with that state; and the inhabitants of that section, especially in

winter, have no other way to reach their capital except to pass through the states of Wisconsin, Illinois and Indiana; — but the interest of peace required that Wisconsin should be again sacrificed; it was sacrificed, and we have submitted.

Again, when the Webster treaty was made in 1842 with Great Britain, more of our territory lying on the extreme north was taken from us and given to England in the interest of peace, and again we submitted without a murmur.

Notwithstanding we have been cut and carved at both extremities, north and south, we still have a territory twice as large as the great state of New York, rich beyond all calculations in everything that conspires and combines to make a prosperous and luxurious abiding place for man.

In the year 1783, settlements first began at Prairie du Chien, Wisconsin, and afterwards, perhaps as early as 1800 or 1805, some few settlements were made in the southwestern part of the state, by persons attracted by the lead mines of that section.

In 1820, Lewis Cass, then governor of Michigan, to which Wisconsin was attached, came to Wisconsin with a distinguished party of gentlemen, among whom was Henry R. Schoolcraft, who published in 1821 a "narrative journal," replete with valuable information relative to this country. Wisconsin, we learn from this journal, was then little more than the abode of a few Indian traders scattered here and there throughout the territory.

This expedition and this "narrative journal" brought this country somewhat into notice. Of this expedition, James D. Doty was secretary; and from that time to the time of his death, in Utah territory, of which he was at the time governor, he was identified with every period and every page of our history. Indeed, a full and faithful life of James D. Doty would be a history of Wisconsin from 1820 to 1869.

But it is said that the Sauk or Black Hawk war of 1832 did more than anything else to turn the attention of emigrants and others to this country. It brought it into general notice throughout the whole United States and abroad. From this time it began to settle rapidly, so that in 1836 enough people from the states settled here to justify its organization into a territorial government, which was done by act of congress, approved April 20, 1836. On the third of July following, the people then in Wisconsin commenced to govern themselves. It is curious to observe how easily and effectually the people here were invested with governmental power, which was to abide with them and their successors forever, unless they should voluntarily give up the right of self-government. Section twelve of the act of congress organizing the territory provided as follows: "That the inhabitants of said territory shall be entitled to and enjoy, all and singular, the rights, privileges and advantages granted and secured to the people of the territory of the United States, northwest of

the river Ohio, by the articles of the compact contained in the ordinance for the government of the said territory, passed on the 13th day of July, 1787, . . . and the existing laws of the territory of Michigan shall be extended over said territory, . . . to be altered, modified or repealed by the governor and legislature of said territory of Wisconsin. . . . And further, the laws of the United States are hereby extended over and shall be in force in said territory, so far as the same or any provision thereof shall be applicable."

Under this act, the people of Wisconsin were invested with the power of self-government, and now it was that they set up for themselves. From that day to this, they and we have been responsible for what has been done. I come now to speak especially to those of our fathers who organized the government and who made a state.

From 1836 to 1848, when Wisconsin was admitted into the Union as one of the states, entitled to all the privileges of the original states under the constitution, a body of laws had been framed and a system of government adopted, so wise, so liberal, and so just to every class and every interest, that there was little left for the state to do but to adopt and fit the laws and the system to the changed condition of affairs. It is sad to reflect that by far the greater number of those to whom we are indebted for the priceless blessing of a good beginning have passed away. It is pleasant, however, to contemplate that these men live and will always live in the grateful memories of the whole people of this great and growing commonwealth.

Some few of them, however, are still here, and yet fewer are with us to-day. It ought to be, and it will be, I am sure, gratifying to them to know that we appreciate what they have done for the state and for the people of the state, in thus early organizing and establishing a system of equal and just laws — laws which have endured so long, and are likely to endure forever. All honor to the living and the dead who gave and secured to us this wonderful foundation for our prosperity and success.

Wisconsin was especially fortunate in the appointment of its first territorial officers, and especially in the appointment of HENRY DODGE as its first governor; too many of the officers of territories have been men from other states, appointed to administer the affairs of a people they did not know, and to govern where they had no interest, and little knowledge of the capacity and resources of the country, and the wants and wishes of the people. This was not the case in Wisconsin. Gov. DODGE was at the time of his appointment, and had been for a long time, a resident of Wisconsin, identified with the territory and its people. He was a man who had won honorable fame in the service of his country, and he fairly represented every interest in the new territory. It was therefore eminently fit that he should be its first governor. Following him in the changing phases of politics came JAMES D. DOTY as governor. He, too, had been distinguished as a judge and a citizen; and

he, too, was and had been, from still an earlier day, identified with Wisconsin. His interests, like those of Gov. DODGE, were here in Wisconsin, and nowhere else. The same might be said of most of the other territorial officers; but the governor was the leading officer, who, together with the people with whom and whose interests he was identified, gave form and shape to all things. To this may fairly be attributed the early prosperity and permanent welfare of Wisconsin. N. P. TALMAGE, of New York, was governor of the territory from June 21, 1844, to April 8, 1845; with the exception of this short period, DODGE and DOTY held the office during the entire period of territorial government. First, Gov. DODGE held the office from April 30, 1836, to September 30, 1841; Gov. DOTY, from September 30, 1841, to June 21, 1844; N. P. TALMAGE, from June 21, 1844, to April 8, 1845; Gov. DODGE again from that time until the state was admitted into the Union in 1848, May 29.

Again, the people who came here, came to make it their home, and few who came ever went away. Therefore, when they were called upon to act in public capacities, to make and administer the laws, they made laws for themselves, and in administering them, they did "unto others as they would have others do unto them." In short, Wisconsin was then, as it is now, one great family of good fellowship. It could not have been so if bad or unwise men had been here in the beginning, and it will take a good many bad men a good while to change its character in this respect. Rich as Wisconsin is in climate and fertility of soil, in rivers, lakes and resources of every description, it is still richer in the volume and body of its laws, and in the intelligence, enterprise and character of its population. It has been here, as it has ever been everywhere among men who have founded a nation or a state, some among them have attained an enduring fame; a fame equal to if not surpassing any who come after them. It would be a real pleasure to mention some of the many men of the territory of Wisconsin who contributed to make it what we have faintly described it. All of them could not be mentioned within the limits of this address, and when all are so deserving, it would be invidious to mention a few.

I have thus far named but two, HENRY DODGE and JAMES D. DOTY. I have mentioned them because they occupied commanding positions, where they were necessarily identified with every interest, and in this sense they were the two great leaders of the whole. There was rivalry between these two remarkable men, and to each was attached a large following of friends, each vieing with the other to see who could best advance the interests of the young and growing territory.

There was enough for them all to do. It is impossible for us now rightly to appreciate what these early settlers had to do. The wonder is that they did so much, and did it so well, in so short a time. In some respects, however, Wisconsin was more fortunately circumstanced than any of the other new territories, or, indeed, of the older states. The

character of the country was favorable to rapid settlement and quick development. The Sauk or Black Hawk war, which we have seen gave a quickening stimulus to settlement of this territory, had subdued the Indians into a sort of respect for the rights of white men; for this and other reasons, the early settlers were exempt from the fears and dangers which had so retarded the early settlements elsewhere. There was but little danger apprehended, and no acts of savage violence to speak of suffered by the early settler. They were ordinarily safe to settle in any section of the territory, so that at an early day every section of the country was to some extent occupied; means of communication had at once to be provided, roads were to be made, and, what was far more difficult and expensive, bridges were to be built over the numerous streams, large and small, that thread our state in every direction. Yet all this was done; it was done well and done quickly. The foundation was very early laid for all of the public institutions necessary and incident to a well-ordered government.

The country settled rapidly with emigrants from the states and from the old world, so that within a period of ten years from the organization of the territory, it had the requisite population to entitle it to be admitted as a state into the Union.

Under the territorial system of government, the people were in some sense subordinated to the congress of the United States. Although their career had been one of unparalleled success, it is indisputable that by this time they had become restive and uneasy under the seeming vassalage of the situation, so that everybody expressed the wish to form for themselves a constitution and be admitted into the Union as an independent state, or, as we expressed it at that time, a "sovereign, independent state."

The legislature, therefore, heeding this general public sentiment, passed a law on the 31st of January, 1846, providing for a convention, and for the election of delegates to form a constitution. Delegates were elected, and on the 5th day of October of the same year they assembled at the capitol in Madison, and proceeded at once to the discharge of that duty. This brings us to a very remarkable period in the history of Wisconsin, and I confess that I feel utterly incompetent to deal properly with the subject at this point. It is proper to say, however, that this convention of 1846 was composed of some of the oldest settlers of the territory, and some of the ablest men that have ever taken part in the public affairs of Wisconsin. Some of them had been greatly and justly distinguished for their devotion to the interests of the territory, and many of the same men have been no less distinguished since then for their services and devotion to the welfare of the state; and I may properly add that the wisdom of the people of that time in making choice of the delegates to this convention, has since been fully justified by the confi-

dence that has been continued to them by the people of the state down to this day. It would not be appropriate to the occasion, and if it was so, time would not permit me even briefly to allude to the subsequent history of these men. This duty has been ably performed by the secretaries of this convention, DAVID ATWOOD and HORACE A. TENNEY, who were both reporters in the convention of 1846, and also in the convention of 1847–8, which framed the constitution that was finally ratified by the people: our present constitution under which Wisconsin was admitted into the Union. Their report, which will always be a valuable contribution to the history of Wisconsin, embraces a brief biographical sketch of each member of both conventions. Some have been members of congress, one a cabinet officer and minister abroad; one a justice of the supreme court, and two (one of each convention) have been chief justices of the state; several have held state offices, and many have been members of the legislature. In many ways they have enjoyed the confidence and been honored by the people of the state. Many of our associates who met with us on that bright October day, away back in 1846, now nearly thirty-three years ago, and who labored with us through the sixty-two days that we were engaged in trying to make a constitution for the protection of the rights and liberties of the people of Wisconsin — one that would meet the approval of those who had delegated us to perform that duty — have passed to an honorable grave, and I am proud to say that I do not know of one, either living or dead, of either convention, who had dishonored the good name he deservedly won.

The constitution framed in 1846 not being ratified, another convention was provided for, which met at the capital on the 15th of December, 1847, and framed the present constitution, which was ratified by the people. Before alluding to the present constitution, or more especially to the convention that framed it, it will be proper that I should briefly refer to the causes and to the arguments that led to the defeat of the one framed in 1846.* After this lapse of time, and in view of the action of

*The editors of this book take occasion to state, that, as they understand them, the objections mainly urged upon the people of Wisconsin to reject the first constitution submitted for public approval, were essentially and substantially the following:

1. *The northwest boundary line.* Article I. — This was drawn, subject to the approval of congress, "from the first rapids of St. Louis river in a direct line southerly to a point fifteen miles east of the easterly point of Lake St Croix, and thence south to the main channel of the Mississippi river, or Lake Pepin." Such a boundary, if approved, would have given to Minnesota all the lower valley of the lake and river St. Croix, and extended its south boundary line to Lake Pepin, covering the area now embraced in several of our present finest counties.

2. *Too large a legislature.* Article V provided that the assembly should consist of not less than sixty nor more than one hundred and twenty members, and the senate a number not greater than one-third, nor less than one-fourth, the assembly.

the second Constitutional Convention, and of the subsequent legislation of the state in reference to the matters forming the objections then urged against the constitution, it would be exceedingly difficult to make the people of this day understand why the first constitution was not ratified. Several reasons were urged in argument before the people why it was that the convention did not make a proper constitution, or, rather, why they put into it the objectional provisions, which were stated to be:

(1) The article in relation to the rights of married women.
(2) The article on exemptions.
(3) The bank article.
(4) The number of representatives in the legislature.
(5) The elective judiciary.

The article on married women was as follows: "All property, real and personal, of the wife, owned by her at the time of her marriage, and also that acquired by her after marriage, by gift, devise, descent, or otherwise than from her husband, shall be her separate property."

The article on exemption was as follows: "Forty acres of land, . . . or the homestead, not exceeding forty acres, . . . which shall not exceed in value one thousand dollars, shall be exempt from execution or forced sale."

The article on banks prohibited banks of issue.

The legislature should not consist of less than sixty members, nor more than one hundred and twenty-five; and it was provided that the judiciary should be elective.

A distinguished opponent of the constitution said in a public speech at that time, that "these features of the constitution are not only bad of

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This was regarded as too large, as all experience had proved that such bodies never cease enlarging their numbers until the authorized maximum is reached.

3. *Salaries.* Article IV. — These were fixed by the constitution for all state officials, and thus made unalterable by the legislature. It was held that public policy demanded a more flexible system of compensation for public services, to meet the possible wants of the future.

4. *Judicial.* Article VII, section 12, established a system denounced at the time as one of "rotary courts." It provided that until the legislature otherwise determined, "the circuit judges shall interchange circuits, and hold courts in such manner that no judge of either of said circuits shall hold court in any one circuit for more than one year in five consecutive years, except in case of vacancy, absence, or of inability or disability of one of said judges." This provision gave offense to the bar generally, as well as to the public at large, and was warmly opposed.

5. *Banks and banking.* Article X. absolutely prohibited any bank of issue within the state; or any corporation from doing any banking business; or any branch or agency of any bank of the United States, or of any state or territory, under any pretense or authority; and made it unlawful after the year 1847 to circulate any bank note, bill, certificate, or other evidence of debt whatsoever, intended to circulate as money, issued without the state, of a denomination less than ten dollars, or after the year 1849, of a less denomination than twenty dollars. The legislature at its first session, and thereafter as occasion called for it, was required to enact adequate penalties for the punishment of all violations and evasions of this article. This

themselves, but they are still more objectionable when we reflect that they will produce other laws still worse. They are seeds of evil which will produce an hundred fold."

These and similar arguments finally resulted in rejecting the constitution. The article on the rights of married women, the exemption article, and the elective judiciary, were denounced in unmeasured terms as being ruinous to the peace, prosperity and happiness of the people forever.

The next convention framed a constitution leaving the "rights of married women" to be provided for by the legislature, and the legislature, a few years afterwards, adopted into a law substantially that which was provided for in the rejected constitution.

It also provided that the legislature should pass exemption laws of real and personal property; and soon after, the legislature made a liberal exemption of personal property and exempted forty acres of land, the

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provision was especially offensive to the commercial classes on the east side of the territory. Interior settlers generally, and western particularly, were almost unanimously opposed to banks of issue in any form whatever. In these latter sections the sole currency at the time was genuine hard money.

6. *Rights of married women, and exemptions.* Article XIV.—This article was deemed out of place as a part of the constitution, even if proper in the form of statutory enactment. The limit of one thousand dollars to estates exempted, in a community rapidly growing, with property daily appreciating in market value, it was held by many, would defeat the real end in view, and open a field for endless litigation. In the form of law, under the present constitution, the people have for thirty years sanctioned all proper rights of married women, and an exemption of property much more liberal than the first constitution provided for.

7. *Amendments and revision.* Article XVIII, section 2, required the legislature every tenth year after the constitution took effect, to submit to the people at the next annual election, whether they were in favor of calling a convention to revise the constitution or not; and if the vote was in the affirmative, then a convention was to be called within six months after the next legislative session. This plan was deemed cumbersome and unnecessary, the cost being greater than any possible gain from its adoption.

8. But the most fatal objection was one of omission. No special article was provided upon corporations. The subject had been fully discussed, and a general agreement reached, when the matter was referred to a committee, which failed to report. The vital point involved is contained in the present constitution, article XI, section 1, in these words: "All general laws or special acts enacted under the provisions of this section (corporations), *may be altered or repealed by the legislature at any time after their passage.*" This power to alter or repeal every form of charter that can be granted by the state, is by far the most important feature in its organic law. It is a part of every charter, and gives to the legislature complete legal control over every incorporated company. This right is now firmly settled upon the solid basis of judicial decisions in both state and United States supreme courts. Comparatively few comprehended the vast importance of this reservation a generation ago. It is properly recognized now as the very bulwark of public safety from the oppressive encroachments of monopoly. Its omission, either purposely or by oversight, from the first constitution, was a potent reason among the more thoughtful, for voting to reject the whole instrument. A combination of all those opposed to certain special features deemed objectionable, by each, was sufficient to insure its defeat at the polls.

homestead, or a quarter acre in a city or village, without reference to its value, whereas in the rejected constitution, the value of such exemption was limited to one thousand dollars.

It fixed the number of members of the legislature at not less than fifty-two, nor more than one hundred — hardly difference enough to talk about — and the judiciary was made elective as in the rejected constitution. In respect to banks, that was so left that the subject of bank or no bank might be submitted to the people. Thus we find in the second constitution, and in the legislation of the state soon after enacted, nearly every feature which had made our work unpopular, and there it has remained, the pride and glory of the state to this day. Although our work was rejected, yet it was in a great degree the foundation and guide for those who were subsequently charged with the duty of framing the constitution which we now have.

The second Constitutional Convention assembled in Madison on the 15th day of December, 1847, and closed its labors on the 1st day of February, 1848. The result of its labors was the present constitution. That it was a good constitution is sufficiently attested by the fact that it has remained the organic and paramount law of the state for now more than thirty years, unchanged in any of its important and essential features, and we have seen that in many respects it is the exact counterpart of the one that had been rejected; that the subsequent legislation of the state has in many respects even advanced in the direction in what was called the radical, and for a time the most unpopular provisions of the rejected constitution.

This convention, like the first one, was composed of many of the earliest settlers of the territory, and many of them were the very ablest men in it. We have already noted that many of those, as well as those in the first convention, have risen to honorable distinction in the service of the state. After all, it was the work of these men of the second convention that was crowned with success, and thus they won the high and honorable distinction of being the founders of a state.

This state, as we have seen, has had a varied fortune and a singular history, but ever since its organization into a territory in 1836, it has advanced in rapid strides with uninterrupted and unparalleled prosperity to its present acknowledged high position among the states of the Union. All of its duties to the general government in every emergency have been honorably and faithfully performed. The rights of its citizens have been scrupulously protected by a just and equitable system of laws, and by a fair and able administration of justice.

The remarkable good fortune that has always attended our people, is due in a great degree, I think, to the wisdom and singular unselfishness of those earlier settlers of the territory, who laid the foundation of a good government, broad and deep, upon which has been built within a period of little more than forty years a great commonwealth, embracing

within its borders a million and a half of people as industrious, intelligent and prosperous as any people on the globe. It is no vain boast to say that Wisconsin is as fair a land as the sun shines on. It embraces within its limits every attribute and every facility as regards climate, fertility of soil, and all that goes to make an independent and self-sustaining people. It is an empire within itself. Its geographical position is unrivaled. On the north we have the great inland sea, Lake Superior; on the east, along our whole border, we have Lake Michigan, second only to Lake Superior in extent; on our western boundary, we have the wonderful Mississippi; and generally the interior of the State is threaded with "a watery net-work of great utility;" many of the streams are navigable for boats — more are navigable for logs and lumber; and altogether they afford water power enough to run all the machinery in the world. The state is dotted all over with clear and beautiful lakes and with innumerable springs of healing waters, which already are attracting the afflicted from far and near. In many localities the earth is literally teeming with the richest of ores, lead, iron and copper, and our pineries are simply inexhaustible.

This is but a faint and feeble review of the great and wonderful natural resources of Wisconsin. It now remains for me, in conclusion, briefly to refer to what has been done to build upon and improve these manifold and remarkable facilities. I have already said that the early territorial settlers began and carried on the work of improvement with peculiar skill and industry; that they established a system of laws which were so admirably fitted to the wants and growing capacities of the country as to need but little change when we became a state. Since then the same wisdom, the same care for the welfare and prosperity of the people, has in general marked the legislation of the state.

The state has no debt to speak of, and yet our charitable and penal institutions will compare favorably with any in any of the states of the Union, or with those of any country in the world, both in respect to the convenience and splendor of their construction and the skill and learning with which each institution is managed. A liberal school fund was originally provided for by congress, and the state has added largely to it, with which a system of education has been provided for the youth of Wisconsin, fully equal to any in the world. Colleges, established by different religious denominations, have sprung up in different parts of the state, which, together with the State University, are furnishing to the young men and women of the state every facility for a thorough and accomplished education. The University of Wisconsin, supported as it is by liberal and bountiful appropriations by the state, is fast becoming one of the leading institutions of learning in the United States; and I know of no reason why this institution may not in the near future be equal to any institution of learning in the world. Under the liberal patronage of the state, the sons and daughters of Wisconsin are, and are to be, forever here-

after, I hope, educated here free of expense. Thus, and in many ways I cannot mention, the people of Wisconsin have kept pace with the most advanced civilization. Everything has been done that could be done by enterprise, energy and industry to make Wisconsin what it pre-eminently is, one of the richest and most prosperous communities in the world. Added to our natural and unrivaled means of transportation throughout the state and abroad, by the water communications to which I have already referred, Wisconsin has her full share of railroad facilities. It would be a waste of time to attempt to enumerate the advantages of Wisconsin; it is sufficient to say that she has every advantage which a good government, a rich soil and a favored climate can give to a thrifty, industrious, intelligent people. All of these advantages have been grandly improved, until Wisconsin has become a great and prosperous commonwealth.

For all of these manifold blessings, the people of the state are in great part indebted to you gentlemen who organized the territory and founded the state.

I hope these meetings may be continued from year to year, that they may increase in interest as the numbers entitled to be here diminish. Each recurring meeting, I am sure, will in many respects be sadder and sadder for those who come, until finally when the last of this noble band of pioneer patriots and public benefactors, enfeebled by age, shall come with trembling steps, and with conflicting feelings of pleasure and pain — pain that he sees no more the noble forms and familiar faces of those who helped him to lay the foundation of this grand commonwealth; pleasure at the joyful greeting he will be sure to receive from the grateful people he so faithfully served — when this time comes, as it surely will come, I bespeak for this survivor, whoever he may be, a reception and a welcome that shall forever make that day memorable in the history of Wisconsin.

THE EARLY PIONEERS.

A meeting of the State Pioneer Association was held in Madison, July 14, 1880. Hon. JAMES M. BINGHAM, acting governor, delivered a speech of welcome, which was responded to by Hon. E. G. RYAN, chief justice of the supreme court. Hon. PETER PARKINSON, Jr., of La Fayette county, president of the association, delivered the annual address, principally relating to early settlement in the territory, from which extracts are made as follows:

We have met together, in the capacity of a pioneer meeting, not only for the purpose of social enjoyment and festive recreation, but also for the purpose of paying a tribute of respect to departed worth and merit, and to revive in our minds the sacred and cherished memories of the past, and recount to each other the scenes and incidents connected with our early settlement in this country. And it affords me the highest pleasure to look over this large assemblage of people and see in it so many venerable gentlemen whose heads have grown gray in doing good for their state, in some capacity or other — from the highest functionary of state, down to the worthy and good citizen. And also to recognize so many old and familiar faces that I have so long and so favorably known, and from whose hands I have received so many acts of warm friendship and true kindness during the fifty years that I have lived among them.

And to each and every one of you, and to all who are present, I extend, for myself, and in behalf of the pioneer association of the state of Wisconsin, whose president I am, a most cordial welcome, and a happy greeting. * * * * * * *

Over fifty years ago, in the ever memorable years of 1827, '28 and '29, some of us who are now present, met then in this far off, wild and wilderness country, for the first time, to make acquaintances and form friendships that should endure as long as life should last, and now, at the end of more than half a century, we find that there is no abatement in the friendships and attachments formed upon those ever memorable occasions, but that the feelings of friendship and attachment are as warm and fresh and as green to-day as ever.

We were then strangers in a strange land, promiscuously thrown

together, from all parts of the United States, and many other portions of the world — and it would perhaps be no exaggeration of the facts, were I to say upon this occasion, that a more noble, a more generous, whole-souled, warm-hearted, kind and obliging, persevering, determined and go ahead set of men were never in any country, or under any circumstances, thrown together, than the noble old pioneers of the state of Wisconsin.

We came together as a band of brothers, extending the right hand of friendship and fellowship to each other, and pledging to each other mutual assistance in times of danger and in times of need; and it affords me the most unspeakable pleasure to state upon this occasion, in which statement every old pioneer present will bear me witness, that no promises or pledges that were ever made by mortal man, were ever more promptly or more faithfully fulfilled than were these promises of friendship and assistance.

The generous hand of the old pioneer has always been open to assist the needy, and his strong arm has ever been ready to defend the defenseless.

But alas, nearly all of this noble old band have gone to that bourne from which no traveler has ever yet returned. But, through God, they have gone in peace and in honor, have left a name and record behind them that it might be well for us who live after them, to remember and to imitate. * * * * * * *

We were then an isolated people, shut out from the rest of mankind, one thousand miles distant from any point from which any supplies could be obtained, either in times of peace or in danger; in a cold and rugged climate, without money, without provisions or clothing, and without any of the munitions or equipments of war, in the midst of hostile, treacherous and savage Indians, who were liable to make war upon us at any moment; and truly, in less than two months after the arrival of the first pioneers of 1827, they were called upon to meet in deadly conflict one of these tribes of hostile Indians — the Winnebagoes.

Notwithstanding the destitute and defenseless condition of the country, and notwithstanding the terror which this kind of foe generally inspires, the little band of pioneers was neither dismayed nor daunted, but boldly stood their ground, and, under the leadership of the bold and gallant DODGE, they met the Indians upon the threshold, soon put them to flight, and drove them back to their hiding places, and thus, in a twinkling as it were, the war was put to an end, and the country restored to peace and quiet.

But it was not long destined to enjoy this peace and tranquility. In the year 1832, in the month of May, she was invaded by another much more formidable and warlike tribe of Indians than the former. These were the Sacs and Foxes, under the leadership of the renowned war chief, BLACK HAWK. Their purpose was to overrun this country, murder

and scalp all the scattered inhabitants, re-take the country and possess it again as their own. In this bold and daring undertaking they were, in the commencement, most signally successful. About the first days of May, they crossed the Mississippi river, near Rock Island, marched rapidly up the valley of the Rock river, producing the greatest alarm and consternation among the inhabitants, causing them to flee in all directions for safety and protection, murdering and scalping indiscriminately, and, on the 16th day of May, BLACK HAWK and a small portion of his warriors fell upon the unfortunate Major STILLMAN, one of the commandants of the Illinois forces, and most disastrously and ignominiously defeated him in the battle of the Kishwaukee, on the waters of the Rock river, thirty miles above Dixon. In this battle many of the whites were killed and scalped in their tents, and the remainder put to a most shameful and ignominious flight, and pursued by the Indians almost into General ATKINSON'S camp at Dixon. In a few days after this battle, another portion of BLACK HAWK'S forces fell upon General SAMUEL WHITESIDES, an old and experienced Indian fighter. He, too, was soon overcome and put to flight. A few days after, Major JAMES STEPHENSON, a gallant young officer of Galena, with a small squadron of men, was attacked on the Yellow river, a tributary of the Kankakee river, and he, too, was also defeated and put to flight, and he and his men chased pell-mell almost into the city of Galena; and still, a few days later, a portion of General POSEY'S brigade was badly defeated and cut to pieces at Waddam's Grove.

Being emboldened by these successes, BLACK HAWK sent out his marauding parties all over the country, who were killing and scalping the inhabitants indiscriminately, at Waddam's Grove, Apple River Fort, Sinsiniwa Mounds, Blue Mounds, Spafford's Farm, Cassville, and other places, causing the most fearful alarm and consternation all over the country; and no check or stay was given to this most alarming state of things until, on the 16th day of June, one of BLACK HAWK'S marauding parties, seventeen in number, most unfortunately for themselves and fortunately for the country, fell in with this same bold and gallant DODGE, and twenty-one of his bold and determined old pioneers, in the battle of the Pecatonica.

In this battle the tide of war was turned against them. In this battle BLACK HAWK'S party were as signally defeated as they had been successful in defeating all with whom they had come in contact previous to this time. In this battle they were taught a lesson that they had never learned before: that General DODGE and his bold miners could use the bayonet and musket as well as BLACK HAWK and his savage warriors could use the tomahawk and the spear.

In this battle Gen. DODGE made good his words that amused the dying boy. He did charge them, sword in hand; and he also made good his words spoken to the affrighted captain at Blue Mounds. He did show

them that we were not of the soft shelled breed, that we would not run and hide like turkeys, neither would we squawk like ducks when the spear was applied to us, as had been said by the old WHITE CROW, a Winnebago chief, at the Blue Mounds.

This battle was a terrific one; it was a hand to hand encounter; steel clashed against steel, and the woods resounded with the terrific yell of the savage. The conflict was deadly and decisive. The Indian tomahawk and spear were pitted against the white man's bayonet and breech. But in the end, the bayonet and the breech were triumphant. The last Indian was killed and scalped, and not one left to tell old BLACK HAWK, their chieftain, the sad tale of this disaster.

From this battle onward, BLACK HAWK's star was in the wane; from this time onward he was hotly and vigorously pursued, and overtaken at the Wisconsin heights on the 21st of July, badly whipped, sixty-eight of his men killed upon the ground, and many more wounded so that they died upon the way. On the 3d of August, they were again overtaken at the battle of Bad-Ax, and terribly defeated and slaughtered.

This battle closed the war, and it is but due here to state that the annals of Indian warfare furnish no account of so successful a termination of any Indian war that we have ever been engaged in. It furnishes no instance of so large and formidable a body of Indians being whipped, driven out of the country and almost exterminated, in so short a time and with so little loss to the whites, as were BLACK HAWK and his entire party.

And it is also due to state here, that this desirable termination of the war, was justly attributable mainly to the prompt, energetic and judicious movements of Gen. DODGE, and his squadron of old and determined pioneers.

I have alluded to these prominent features of the BLACK HAWK war for the purpose of letting the people of the present day know something of the importance and something of the material of the noble pioneers and their gallant commander, who had to bear the brunt and burden of the day in this war; who were always in front ranks and in the hottest and thickest of the battle. We pursued them in hot chase over this indentical ground, but a short distance in the rear — having killed one on the bank of the Third Lake, and another a few miles west of Madison, the same day of the battle of the Wisconsin Heights. In this battle, Gen. DODGE's squadron led the charge, and received the entire charge of the Indians, and maintained their ground, says one narrator, nearly an hour before the full line of battle was formed.

What has been said of the pioneers of 1827–8–9, may justly be said of all the rest. They were of the same style and type of men. Bold and chivalrous, noble and warm-hearted, generous and free, hospitable and confiding, sharing with each other the last pound of flour, meat, coffee, sugar, tea, or anything else which they might have about them — every-

thing was noble, manly and generous about them. Their hearts beat in unison with each other, and they were ready upon all occasions to extend the right hand of friendship and fellowship to all who came among them. They used no locks, bolts, bars, or fastenings of any kind; but instead, as has been aptly said, "the latch-string was always out;" all was free and all were welcome. No bonds, mortgages, notes, receipts or written obligations of any kind were used or needed in the early days of the pioneers. No money sharks, or note-shavers, or patent-right venders then infested the land. Money was then loaned and borrowed without price and without obligation. Every man's word was as good as his bond. Every man then sought to accommodate his neighbor all he could. In the language of Judge H. S. ORTON, "We were then all of one faith, one creed and one baptism, and helped one another." To them we owe everything in the line of discovering and settling up a new country and developing her hidden resources.

In this respect, what a debt of lasting gratitude do we owe to the bold and daring adventure of our noble and ever to be venerated "Pilgrim Fathers."

From this little band of bold and adventurous pioneers, landed, in the dead of winter, on the sterile and barren banks of Plymouth shore, a great continent has been peopled, and a mighty nation has been formed; and so of nearly all of the states — from a small beginning of bold pioneers, a great state is soon formed and densely populated, and on the rapid march to grandeur and greatness.

To a BOONE, a KENTON, a DIXON, a DOUGLAS and a CARSON, and others, we owe untold obligations, for their discoveries and explorations in our new states and territories. * * * * * * *

The speaker then paid a glowing compliment to the pioneer women, giving them as much honor as he had bestowed upon the men; and concluded his address with the following paragraph in regard to them, and by tendering a sentiment:

They were women of sound practical sense and high Christian resignation, and knew how to adapt themselves to the circumstances which surrounded them, and submitted with cheerfulness to the necessities of the occasion; and, in conclusion on this branch of my subject, I think I may well say that if there ever was a set of women in these United States that were justly entitled to the appellation of second Pilgrim mothers, it was and is the good and noble pioneer mothers of the state of Wisconsin.

The state of Wisconsin — the grand and noble state of Wisconsin — the work of your hands, of your industry and your enterprise! May her glory and her felicity increase with each revolving year, until the last trump shall sound the catastrophe of Nature, and Time shall emerge into the ocean of Eternity.

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